



Turkey Report

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Executive Summary

The period under review was marked by deep political and social divisions in Turkey. The failed coup attempt of 15 July 2016, and the subsequent state of emergency has changed the course of Turkish politics and increased uncertainty. The government's politically charged allegations, judicial investigations and dismissal of thousands of civil servants, and the immense organizational capacity of the Gülenist movement in the public and private sector brought public trust to rock-bottom levels. Rising popular authoritarianism has undermined the rule of law, legal certainty and judicial independence, exacerbated widespread social discrimination, and reinforced the presidential model and exclusion of the legislature from governmental processes. The chair of TÜSİAD, Turkey's leading business association, stated "Judicial independence and impartiality, freedom of thought and expression, a free and scientific academic environment, free media and internet, well-defined authorities and responsibilities, and a meritocratic public administration are important parameters of a country's competitive political system, which Turkey currently lacks. Domestic and international challenges require a new economic, political and social grand strategy for Turkey in order to raise the level of sustainable governance."

The war in Syria has had a profound impact on Turkish politics and society. The terrorist attacks in Suruc, Ankara and Istanbul, the massive inflow of Syrian refugees, and the emergence of the Islamic State group have fueled tensions across the country and presented the government with major political challenges. The government's extensive military counterinsurgency in predominantly Kurdish provinces in the southeast of Turkey and attacks by terrorist-designated groups – such as the Kurdistan Workers' Party (PKK) and the Kurdistan Freedom Hawks – signified an end to the peace process between the Turkish state and PKK, which had shown significant promise in recent years. The government appears to lack a clear strategy for ending the conflict in Turkey's southeast region. This not only hampers economic opportunities in the southeast, but will also undermine democratic governance in the years ahead. Indeed, throughout the review period, the government continued to respond to dissent with repressive tactics, including openly threatening perceived opponents (e.g., activists, academics or journalists). Many journalists critical of the government now operate under financial threats, self-censorship and increased job insecurity.

Although the number of civil society organizations increased during the review period, their influence in decision-making processes remains limited. The massive polarization between pro- and anti-government camps is present across all spheres of political, economic and social life. The negative effects of this divide were evident in the aftermath of the parliamentary elections on 7 June 2015, which failed to deliver a coalition government in line with the constitution. This inability and/or unwillingness to engage in a power-sharing agreement demonstrates a serious crisis of democracy in Turkey. The election marked the first time in modern Turkish history that civilian politicians refused to accept a parliamentary election result and reach a cross-party compromise. The Justice and Development Party (AKP) secured an absolute parliamentary majority during the November 2015 parliamentary election, allowing the AKP to rule alone for the fourth time since 2002.

Electoral fairness, the AKP's use of state resources and the lack of campaign finance transparency were major issues in both the June and November 2015 parliamentary elections. Throughout both elections, the AKP failed to fully implement the recommendations of the Group of States against Corruption (GRECO) on campaign and party funding. The use of languages other than Turkish was permitted in both elections. Despite strengthening anti-discrimination efforts, Alevis and Roma people still lack access to basic public services. Moreover, anti-Semitism in Turkish politics and society remains widespread. Authorities have begun to address gender discrimination, but violence against women persists, and there has been no improvement in the educational attainment and economic participation gender gaps. The inflow of Syrian refugees is likely to have serious social, economic and political implications for Turks and Syrians living in Turkey. At the time of writing, there are more than three million Syrian refugees in Turkey.

Over the last decade, Turkey has experienced important gains in income and living standards. Though economic competitiveness has decreased, recently. While economic growth has returned after the 2016 economic slowdown, such positive signs are based on the availability of cheap and abundant money, which increases demand (higher consumption and public expenditure) rather than efficiency.

Environmental sustainability, energy security, sustainable urban development and progress toward a high-tech, science-based society are not assured. However, increased government spending (e.g., on research and development, education and vocational training, social policy and health care) during the review period marked a step forward, but so far fails to show sustainable results.

Key Challenges

Turkey's main problems are political and social. Political stability versus political competition and participation, freedom of religion versus freedom from religion, majority-minority cleavages versus an integrated state and society – each issue presents a trade-off with political, social and international repercussions. The polarization of society has been a key strategy used by the Justice and Development Party (AKP) to secure and hold on to power. Legal uncertainty, distrust in the judiciary, the deterioration of fundamental rights and freedoms, and inefficiency in governmental sectors have increased in the aftermath of the averted military coup of 15 July 2016. Suppression of opposition has intensified. The parliament has not been willing to reduce the 10% electoral threshold for representation in the parliament. Moreover, gerrymandering, single-member district plurality and narrow electoral district boundaries have been used by the AKP to reinforce the party's parliamentary majority. However, the establishment of a new party, İYİ Parti (Good Party), may present a real challenge to the AKP in the next presidential and parliamentary elections, a reaction to Erdoğan and his alliance with the Nationalist Movement Party (MHP).

Civil rights shortcomings persist. The incumbent AKP government should expand minority rights for Kurds, Alevis, Christians and other minorities to increase the visibility of minority groups within society and foster minority groups' identification with the state. This would promote intra-societal peace and a pluralist, integrated society. The government should enhance the powers of local and regional authorities, and introduce stronger mechanisms for democratic participation and political subsidiarity. In addition, the 10% electoral threshold should be reduced to increase smaller parties' participation in national decision-making.

At the same time, the AKP should seriously consider domestic and international concerns about increasing authoritarianism and exclusivist conservatism, and declining pluralism and liberalism within society. The government should contribute to the peaceful inclusion of all social groups, while continuing to tackle extremism and terrorism. The AKP's monopoly on government, and the authoritarian stance of President Recep Tayyip Erdoğan against groups and media critical of the regime is a concern for foreign observers, but even more so for Turkish citizens. Since the Gezi protests, mass protests have continued against the government and its policies. However, protests are typically suppressed by the government, using its state of

emergency powers. A more inclusive, reconciliatory rhetoric and better communicated policy intentions are urgently needed. Freedom and security must not be considered zero-sum games. In this respect, international stakeholders, such as the European Union and the Council of Europe, repeatedly exercise their influence over the Turkish government.

Despite the global financial crisis, Turkey's economic performance has been above average. To sustain this positive trend, the government should introduce structural reforms and extend the EU-Turkey Customs Union Decision of 1995, which covers industrial commodities, to include agriculture, services, government procurement and investments. Turkey's relatively high current account deficit remains a major challenge, requiring action such as the adoption of a real exchange rate policy. Turkey and the European Union have shown a willingness to open a new chapter and conclude the present chapter of accession talks. However, U-turns and dramatic shifts in Turkey's foreign policy may not bring the expected outcomes.

During the review period, Turkey's gradual demographic shifts and the country's economic slowdown have increasingly posed a problem. While a young and well-educated population is a boon and offers enormous potential, financial and social provisions for the elderly need to be addressed. The government should continue reforming the pension system to tackle social exclusion and poverty. Furthermore, the country's record on environmental issues, education and innovation is poor when compared to other OECD countries. Since these areas are key to supporting Turkey's growing population and economy, the government should increase expenditure in these areas. Illegal immigration and the refugee situation are exacerbating social tensions and leading to widespread discrimination.

Turkey has become a major emerging economy and a key regional power. However, it increasingly struggles with the repercussions of internal conflicts in neighboring and regional countries, and the coup attempt of 15 July 2016. In order to regain credibility and influence, Turkey should use diplomatic means to re-establish trust, peace and security in the region, and pursue dialogue with reliable regional actors and Western partners. Turkey's international influence and credibility would further increase if the government became more involved in and implemented more international agreements, especially OSCE, Council of Europe and EU agreements. An active continuation of reform processes in line with the *acquis communautaire* and in close cooperation with the European Commission is necessary for Turkey's EU accession ambitions and democratization in Turkey.

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 4

The July 2016 failed coup increased political and economic uncertainty within the country. Since July 2016, a state of emergency has been imposed. A very substantial number of public employees have been suspended or dismissed, while many people have been detained and many companies have been taken over by the state. The government alleges that these extreme measures are necessary, because these people and companies have links to terrorist organizations. Consequently, households delayed spending especially on durable goods and corporations postponed key investment decisions, resulting in lower consumption and investment. State takeovers of private companies has had particularly adverse effects on private investment and foreign direct investment. Furthermore, a series of terrorist attacks have weakened tourism and foreign investment. Finally, domestic economic actors expect a tightening of global liquidity to constrain foreign borrowing and in the medium term increase Turkey's external requirements. In turn, this will pose downside risks to economic growth and employment.

Turkish GDP expanded by 3.2% in 2016. According to the IMF, the GDP growth rate during 2017 will be around 5.1% due to fiscal stimulus and credit expansion. GDP declined from \$934.1 billion in 2014 to \$859 billion in 2015, and increased slightly to \$863.4 billion in 2016. On the other hand, Turkey's inflation rate, based on the consumer price index, increased slightly from 7.7% in 2015 to 7.8% in 2016. The country's annual inflation rate in September 2017 was 11.2%. Thus, the headline inflation rate remains well above the central bank target of 5%. However, according to Turkey's hourly labor-cost index, the total hourly cost of an employee increased by 13.3% in 2015 and 20.1% in 2016. According to the most recent figures, hourly labor costs increased by 13.7% on a year-on-year basis during the second quarter of 2017.

The banking sector has proved resilient to global financial crisis due to robust capital buffers and a healthy loan portfolio. After the failed coup attempt in July 2016, the government's overarching goal has been to avoid a substantial economic slowdown. As a result, the government decided to relax prudential norms in the banking sector, reduce provisioning requirements for restructured loans in the tourism and energy sectors, and lower regulatory risk weights on consumer loans and credit cards. As a result, credit growth has been substantial and the annual credit growth rate was 23.5% in June 2017. But these measures have been criticized by the IMF's latest Financial Sector Assessment Program (FSAP) report, which advises the Turkish government to strengthen banking sector supervision and governance, and enhance the regulatory framework for financial services.

In the field of monetary policy, after the failed coup attempt the central bank lowered reserve requirements, allowed greater use of gold and foreign currency, and offered unlimited lira liquidity against foreign exchange collateral. Between March and September 2016, the central bank gradually lowered the overnight lending rate by 250 basis points to 8.25%, leading to a substantial decline in the interbank overnight lending rate. Yet, at the end of November 2016, the central bank had to raise the one-week repo and overnight lending rates after a steep depreciation in the lira. Simultaneously, the central bank reversed the process of simplifying the monetary framework, which was based on the use of policy rate as the main monetary policy transmission tool. The central bank returned to its unconventional monetary policy, emphasizing the use of Late Liquidity Window rather than the use of policy rate.

Turkey's most significant economic problems continue to be related to external imbalances. While the current account deficit decreased from \$43.6 billion (4.7% of GDP) in 2014 to \$32.1 billion (3.7% of GDP) in 2015, and increased slightly to \$32.6 billion (3.8% of GDP) in 2016, the current account deficit is still considerable. According to the IMF, the current account deficit is expected to increase to \$39 billion (4.6% of GDP) in 2017.

Turkey's net international-investment position (NIIP) is defined as the value of total external assets owned by Turkish residents in the rest of the world minus the value of total external liabilities of Turkish residents to the rest of the world. Turkey's NIIP deficit increased from \$395 billion at the end of 2013 to \$443 billion in 2014, but declined to \$383.6 billion in 2015 and to \$363 billion at the end of 2016. The country's net foreign debt at the end of August 2017 amounted to \$462.4 billion. Considering Turkey's net foreign debt and the IMF's GDP estimate for 2017, the net-foreign-debt-to-GDP ratio for 2017 is approximately 55%.

The change in a country's NIIP over time is determined largely by its current account balance as a share of GDP. Thus, if Turkey's current-account deficit-to-GDP ratio were to remain at 4.17% of GDP and real GDP were to increase at its projected average annual growth rate of 3.54%, as predicted by the IMF for the period 2018 – 2022, then the country's net-foreign debt-to-GDP ratio would increase over the long term to an unsustainable 122.1%. Turkey must therefore reduce its current account deficit. A sustainable current account deficit-to-GDP ratio is likely around 2% of GDP. Since one of the main determinants of the current-account-deficit-to-GDP ratio is the real exchange rate, achieving a sustainable current account deficit will require a depreciation in the real exchange rate.

Citation:

World Bank (2017) World Bank in Turkey – Country Snapshot: The World Bank (October).

Labor Markets

Labor Market
Policy
Score: 6

Turkey's population and work force are growing significantly. From 2014 to 2017, the country's population increased by an estimated 2.4 million to 79.8 million people in 2017. The working-age population (those 15 years old and older) grew from 56.6 million in January 2014 to 59.9 million people in July 2017, while the labor-force participation rate rose from 48.2% in January 2014 to 53.7% in July 2017. A total of 24.5 million people were officially registered as employed in January 2014, rising to 28.8 million in July 2017.

Employment figures in various sectors point to growing dynamism in Turkey's economy and labor market. Recent employment figures for the industrial and services sectors indicate an increase of 71,000 jobs in industry and 2.4 million jobs in the services sector between 2014 and July 2017. On the other hand, agricultural employment increased by 107,000 jobs between 2014 and July 2017.

The official number of unemployed increased from 2.8 million in January 2014 to 3.4 million in July 2017. The increase in unemployment shows that the number of new entrants to the labor force outnumbered the number of jobs created, reflecting demographic factors as well as the slowdown of the Turkish economy. The overall unemployment rate increased slightly from 10.3% in January 2014 to 10.7% in July 2017. Strikingly, unemployment rose in the non-agricultural sectors from 12.1% in January 2014 to 13% in July 2017. Between January and July 2017, an additional two million people were employed due to several governmental incentives. On the other hand, the number of public employees between 2016 and the second quarter of 2007 remained stable at 3.5 million.

Informal employment increased 6.8% between July 2016 and July 2017 and was estimated to account for 35.2% of total employment in July 2017. Displacement of native workers by refugees who agree to work without job security and for lower wages is the one of the factors driving this development. On the other hand, Turkey adopted the International Labor Force Law in July 2016, which aims to attract high-skilled workers to protect and increase productivity. The requirement of a “professional competence certificate” is expected to increase the qualified domestic labor force and increase competition in the job market.

A major medium-term challenge facing the government is the need to create more and better paying jobs for Turkey’s young and growing population, since many young people (15 to 24 years old) are not in employment, education or training. The unemployment rate of young people increased from 17.7% in January 2014 to 21.1% in July 2017. Another major medium-term challenge for Turkey is to boost women’s participation rate in the labor force. Despite notable job-creation successes in recent years, almost half of Turkey’s working-age population fails to enter the labor market, a problem largely attributable to women’s low participation rates.

The World Bank (2016) pointed to labor market rigidity and high labor costs as important constraints to job creation in Turkey. Minimum wages are high and Turkey has a very generous severance payment system. The government’s recently approved National Employment Strategy includes measures to reform the severance payment scheme, unemployment benefits and temporary work contracts. On the other side, recent research indicates that firms participating in international markets through exports or multinationals are in general larger, more productive, more capital intensive, more skill intensive and pay higher wages than domestic firms within the same industry. Thus, the country by promoting exports through alternative means (e.g., real exchange rate devaluations) can create higher paying jobs in export sectors than domestically oriented firms, which will drive productivity increases in the economy.

Citation:

World Bank (2016) World Bank Group – Turkey Partnership: Country Program Snapshot, Washington D.C.: The World Bank (April).

World Economic Forum (2017) Global Gender Gap Report 2017, Geneva.

Taxes

Tax Policy
Score: 5

General government revenue increased from 31.9% of GDP in 2014 to 32.6% in 2016. While taxes accounted for 82.9% of central-government revenue in 2014, the share declined slightly to 82.7% in 2016. As a result, tax revenue totaled 17.7% of GDP in 2016.

The taxation system can be divided into three categories: direct taxes such as the individual-income tax and corporate-income tax; indirect taxes such as the value added tax (VAT), the banking and insurance-transaction tax, the special consumption tax, and the telecommunications tax; and other government revenues drawn from factor incomes, social funds and privatization revenues. In 2016, individual-income tax rates varied from 15% to 35%. The standard corporate tax rate is 20%, while capital gains are usually treated as regular income and taxed accordingly.

Biased toward indirect taxes, Turkey's taxation system does not take into consideration horizontal or vertical equity. This gives the government more flexibility to react to changes in Turkey's highly dynamic and volatile economy, but at the same time decreases fiscal stability and political credibility, particularly concerning the special consumption tax. In 2016, 69.6% of total tax revenues were derived from indirect taxes.

Budgets

Budgetary Policy
Score: 8

General government revenue increased from 31.9% of GDP in 2014 to 32.2% of GDP in 2015 and to 32.6% of GDP in 2016. Total general government expenditures as a share of GDP increased from 33.3% in 2014 to 33.4% in 2015 and to 34.9% in 2016. After the failed coup attempt the government adopted an expansionary fiscal policy approach. During 2016 central government expenditures grew by 15.4% due to increases in wages, transfers, and purchases of goods and services. Though a fall in capital spending and interest expenditures as a share of GDP helped to contain the increase in total expenditures.

During the first three months of 2017, the discretionary funds available to the prime minister and the president almost doubled. In 2016, the IMF had emphasized the need to enhance fiscal risk management. Due to the fragmentation of the legal and oversight framework for public-private partnerships (PPP), contingent liabilities have increased due to the government's continued reliance on PPPs for infrastructure investments.

In August 2016, the Turkey Wealth Fund (Türkiye Varlık Fonu), a sovereign wealth fund owned by the government, was established by Law 6741. The fund is operated under the Strategic Investment Plan, which is approved by the cabinet. The fund was initially allocated TRY 50 million from the reserves of the Privatization Fund and the Directorate of the Privatization Administration (Özelleştirme İdaresi Başkanlığı). In February 2017, the fund also received all the state-owned shares of T.C. Ziraat Bankası A.Ş., Boru Hatları ile Petrol

Taşıma A.Ş. (BOTAŞ), Türkiye Petrolleri A.O. (TPAO), Posta ve Telgraf Teşkilatı A.Ş. (PTT), Borsa İstanbul A.Ş. (BİST) and Türksat Uydu Haberleşme Kablo TV ve İşletme A.Ş., as well as the state's 49.12% share in Türk Hava Yolları A.O. (Turkish Airlines), 51.11% share in Türkiye Halk Bankası A.Ş., 49% share in Türkiye Denizcilik işletmeleri A.Ş. and 6.68% share in Türk Telekomünikasyon A.Ş. In addition, the fund received the licensing rights of Milli Piyango Genel Müdürlüğü for games of chance and the licensing rights for horse races (for 49 years each, starting from 1 January 2018). The fund received ownership of land in Antalya, Aydın, İstanbul, Isparta, İzmir, Kayseri and Muğla, which were previously owned by the Treasury of Turkey. By the end of 2017, the fund managed approximately \$40 billion in assets.

So far, the transfer of discretionary funds to the presidency and the Turkey Wealth Fund has not affected the government's budget. Furthermore, given that the presidency and Turkey Wealth Fund – despite concerns over nontransparency and misuse of funds – can contribute to Turkey's economy by enhancing budgetary flexibility, the impact of both moves on the economy's sustainability remains to be seen.

Nevertheless, as a result of the above developments, the budget-deficit-to-GDP ratio declined from 1.4% in 2014 to 1.3% in 2015, but jumped to 2.3% in 2016 as a result of fiscal stimulus measures introduced after the failed coup attempt. At the end of 2014, gross public debt totaled 28.7% of GDP, while the gross public-debt-to-GDP ratio amounted to 27.5% in 2015 and increased to 28.1% in 2016.

Citation:

International Monetary Fund (2016) 'Staff Report for the 2017 Article IV Consultation,' Washington D.C.: IMF.

Yegin Çiftçi Attorney Partnership (2017) 'Turkey Joins The Rest Of G20 By Establishing Its Sovereign Wealth Fund,' Briefing Note, Istanbul, http://www.yeginciftci.av.tr/content/site-ycap/en/publications/Turkey-Joins-The-Rest-Of-G20-by-establishing-its-sovereign-wealth-fund/_jcr_content/parsys_article/download/file.res/TURKEY%20JOINS%20THE%20REST%20OF%20G20%20BY%20ESTABLISHING%20ITS%20SOVEREIGN%20WEALTH%20FUND.pdf

Research and Innovation

R&I Policy
Score: 4

During the review period, the government continued to strengthen the country's research and innovation capacity. The Scientific and Technological Research Council of Turkey (TUBITAK) is the leading agency for management, funding and conduct of research in Turkey. Yet, within university and private sector-led R&D, human resources, capacities and qualifications lack the necessary incentives to grow and develop.

According to the Turkish Statistical Institute, total R&D spending by the public and private sectors as a fraction of GDP in 2014 was 1.01% and in 2015 the share was 1.06%. Commercial enterprises account for the largest share of R&D expenditures, at 50%. While universities accounted for 39.7% of spending on R&D, public institutions' share was 10.3%. In terms of financial contributions to R&D projects, commercial enterprises have the largest share with 50.6%, followed by public institutions with 27.9%, universities with 18.3% and other sources 3.2% of R&D. In terms of full-time employment, 190,784 people worked in the R&D sector in 2015, an increase of 5.1% compared with the previous year. The private sector employed 26.8% of R&D personnel, while 69.5% worked at universities and public institutions employed 3.7% of R&D personnel.

In 2013, Turkey adopted the Tenth Development Plan, covering the period 2014-18, aiming to improve science, technology and innovation, as one of the building blocks for innovative production and steady growth. In Turkey, the Supreme Council for Science and Technology (SCST) is the highest-ranking science and technology policymaking body in Turkey. In the last few SCST meetings, emphasis was placed on intensifying R&D efforts in the energy, health and biotechnology sectors, providing subsidies to R&D laboratories of multinational enterprises.

Global Financial System

Stabilizing
Global Financial
Markets
Score: 7

Turkey has actively contributed to the work of the Group of Twenty (G-20), the international forum comprising the world's 20 leading industrialized and emerging economies. One of Turkey's key priorities for its presidency of the G-20 in 2015 had been to promote inclusive economic growth globally. During Turkey's presidency, the G-20 agreed to reduce youth unemployment by 15% by 2025, adopted a set of policy recommendations to reduce inequality and established Women-20 (W20) as a stand-alone engagement group to promote gender-inclusive economic growth. In addition, the G-20 adopted a framework at the G-20 leaders' summit in Antalya to strengthen dialogue between the G-20 and low-income developing countries. Turkey's G-20 presidency also brought global peace and security issues to the agenda, as these issues are closely related to sustainable and inclusive economic growth.

Citation:

G20 country report, Turkey 2017, http://www.bundesfinanzministerium.de/Content/DE/Downloads/G20-Dokumente/Hamburg_Wachstumsstrategien/TUR-Growth-Strategy.pdf?__blob=publicationFile&v=3

II. Social Policies

Education

Education Policy
Score: 3

Over the years, Turkey has made significant progress in increasing access to education. In the 2014 – 2015 school year, Turkey achieved almost universal primary school enrollment. Secondary-school enrollment was 79.4% during the same year. The government is actively seeking to expand secondary-school enrollment to comply with the new “4+4+4” law on education. The gender-based enrollment gap has nearly disappeared for primary education and has narrowed significantly for secondary education. However, Turkey ranked 101 out of 144 countries for educational attainment in the 2017 Gender Gap Report. The report indicated that 92.6% of women and 98.6% of men are literate, the enrollment rate in primary education is 93.7% for women and 94.6% for men, the enrollment rate in secondary education is 85.5% for women and 87.2% for men, and the enrollment rate in tertiary education is 88.3% for women and 101% for men. Furthermore, pre-primary education (i.e., three to five year olds) and higher education enrollment rates are increasing rapidly

Regarding the quality of education, the Program for International Student Assessment (PISA) 2015 scored Turkey’s performance relatively low. Although Turkey’s scores have improved significantly over time and inequality in student performance has declined, the performance of an average 15 year old in Turkey for reading, mathematics and science is not satisfactory. According to PISA results, 31.2% of Turkish students underperformed in mathematics, sciences and reading. Turkey scored 420 points on the math test and ranked 49 out of 72 countries. Turkey ranked 52 in science and 50 in reading out of 72 countries. PISA 2015 results indicate that a large percentage of students in Turkey cannot understand what they are reading.

As the government seeks to improve the quality of education, education spending has become the largest item in the national budget. Expenditure on education now accounts for nearly a quarter of government revenue. The proportion of GDP allocated to education from the government budget has increased significantly, from 2.5% in 2000 to 4.9% in 2014. Also, in the aftermath of the failed 2016 coup attempt and the subsequent state of emergency

period, thousands of teachers, especially in Turkey's southeastern regions have been dismissed due to alleged links to terrorist organizations. Furthermore, schools, universities, student dormitories, foundations, centers and non-governmental organizations have been shut down and assets have been seized. The government plans to hire new staff to fill the gaps.

Despite announcements on the issue, the government continued to refrain from strengthening universities' autonomy, and the universities' ability to act autonomously further deteriorated after the failed coup attempt of 15 July 2016. The aftermath of the failed coup attempt had severe impact on academic freedoms. During this period according to Commissioner for Human Rights of the Council of Europe a very large number of academics were dismissed through appended lists in emergency decrees, without any due process and with no judicial remedy.

Citation:

Commissioner for Human Rights (2017) 'Human Rights in Turkey – The Urgent Need for a New Beginning', Council of Europe (March 10 2017).

Organization for Economic Co-operation and Development (2017) 'Turkey' in Education at a Glance 2017, OECD Indicators, OECD Publishing, Paris: OECD

Organization for Economic Co-operation and Development (2017) 'PISA 2015 Key Findings for Turkey,' Paris: OECD

World Economic Forum, Global Gender Gap Report 2017, Geneva.

Social Inclusion

Social Inclusion
Policy
Score: 5

Despite a decline in Turkey's Gini coefficient from 40.3 in 2006 to 39.6 in 2016, income distribution in Turkey continues to be among the OECD's most unequal. According to the Turkish Statistical Institute, the fifth income quintile accounted for 47.2% of income in 2016, while the first income quintile accounted for only 6.2%. According to the World Bank (2017), poverty continues to decrease but at a slower rate than before the 2009 global economic crisis. The proportion of the population living below the poverty line (i.e., \$5.5 a day in 2011 at purchasing power parity) fell to a low of 10.5% in 2016 from 27.3% a decade earlier. Poverty in Turkey is particularly prevalent among people with lower educational attainment, workers in the informal sector, unpaid family carers and homemakers, rural populations and the elderly. The World Bank estimated that the poverty rate will decline to 9.3% in 2017 and to 8.9% in 2018.

The government has developed an integrated social-assistance system geared toward helping welfare recipients get out of poverty. Since 2011 responsibility for all central government social-assistance benefits has been combined under

the new Ministry of Family and Social Policies. This ministry has worked to strengthen social inclusion. The government has been implementing an Integrated Social-Assistance Information System, using a single proxy means test to target benefits more effectively. Links between the social-assistance system and active labor market policies implemented by ISKUR are being strengthened. According to the World Bank (2017), poverty reduction has been driven by the availability of more and better-paid jobs, with social transfers playing a minor role.

The refugee crisis created an extra burden on the government's efforts to improve the quality of social inclusion. Local governments and several civil society organizations share this burden on ad hoc manner.

Citation:

World Bank (2017) 'Country Snapshot,' Washington D.C.

Health

Health Policy
Score: 7

The 2003 Health Transformation Program has produced significant improvements in Turkey's health care system in terms of access, insurance coverage and services. As a result, the health status of Turkey's population has improved significantly. In particular, the maternal mortality rate fell from 28.5 deaths per 100,000 live births in 2005 to 16 deaths a decade later. There has also been a sharp decline in infant mortality from 20.3 deaths per 1,000 live births in 2005 to 11 in 2016. As a result, Turkey has met its Millennium Development Goal target on both counts.

Recently, new legislation was introduced restructuring the Ministry of Health and its subordinate units, while enhancing its role in health-system policy development, planning, monitoring and evaluation. A new public health institution has been established to support the work of the Ministry of Health in the area of preventive health care services.

By 2014, Turkey had achieved near-universal health-insurance coverage, increasing financial security and improving equity in access to health care nationwide. The scope of the vaccination program has been broadened; the scope of newborn screening and support programs have been extended; community-based mental-health services have been created; and cancer screening centers offering free services have been established in many cities.

The key challenge in health care is to keep costs under control as demand for health care increases, the population ages and new technologies are introduced. Total health expenditure as a share of GDP has been increasing steadily since

2003, reaching 5.4% in 2015. In 2015, 78% of this spending was funded by public sources, as compared to a 62% public share in 2000.

Citation:

Ministry of Health (2016) 'Sağlık İstatistikleri Yıllığı 2015,' Ankara

World Health Organization (2017) 'Turkey: WHO Statistical Profile', Geneva.

Families

Family Policy
Score: 4

In July 2016, there were 39.8 million women in Turkey. Furthermore, there were 10.4 million women in the labor force (women 15 years and older), including 8.9 million employed women and 1.5 million unemployed women. The labor force participation rate for women was 34.3%, the employment rate for women was 29.3% and the unemployment rate was 14.6%. The labor force participation rate of women in Turkey remains low, far below the EU average.

In July 2017, of women in the labor force, 53.4% were employed in the service sector, 31.5% in agriculture, 14% in industry and 1% in construction sector. Of working women, 47% were not registered with any social security institution, with significant sectoral and regional disparities.

Several national and local-level initiatives in recent years have ostensibly been aimed at helping women become more employable, helping them find more and higher-quality jobs, and in general helping to remove obstacles to their participation in the workforce. However, there have been many shortcomings in the implementation and proper monitoring of these policies.

In general, the government's conservative stance on women and family affairs (e.g., concerning the number of children, or women's roles) has provoked ongoing public debate on gender equality in the labor market and public life more generally.

Pensions

Pension Policy
Score: 5

In 2001, Turkey's pension system was reformed with the enactment of Law 4632. The law allowed insurance companies to offer individual retirement plans. This transformed the single-component pension system into a two-component system, with one compulsory component and one optional component. While the compulsory component consisted of a pay-as-you-go statutory public pension scheme, the voluntary component consisted of a voluntary funded individual pension scheme.

The World Bank (2016) noted that pension spending in Turkey, around 7% of GDP, is modest in comparison to high-income OECD countries. This low

spending reflects Turkey's relatively young population. Furthermore, due to the system's high dependency ratio and generous eligibility rules, more than half the country's pension spending is financed through budget transfers. A 2008 reform adjusted pension parameters, gradually increasing the retirement age and contribution period, and reducing the accrual rate. Though these adjustments will be phased in over several decades, too slowly to counter the effects of expanding coverage and a maturing population. For this reason, pension-system deficits are expected to remain around 3% of GDP until the middle of the century.

Law 6327 enacted in June 2012 aimed to encourage more working people to purchase complementary pension plans. The law stipulated that the state would match 25% of all contributions (premiums) paid by individuals to government-recognized pension schemes, starting in January 2013 (up to the annual pre-tax monthly minimum wage). The reform aimed at extending coverage and making the system more progressive, which should make investing in a pension scheme more attractive to workers.

Most recently, the government introduced Law 6740 to boost total savings in the economy. The law was enacted in August 2016 and took effect in January 2017. Under the law, all public and private sector employees under 45 years old will be automatically assigned to an individual pension plan. Employees will start making contributions to the plan at the minimum rate of 3% of their taxable earnings, unless they request to opt out within two months of their automatic enrollment. The government will match 25% of employees' contributions to their private pension fund. In case the employee stays in the plan, another one-off state subsidy of TYR 1,000 will be provided.

Citation:

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Integration

Integration Policy
Score: 7

Turkey's new Law on Foreigners and International Protection took effect in April 2014. On the same date, the General Directorate for Migration Management officially took on responsibility for implementing the law with a view to bringing Turkey in line with European Union and international standards.

Turkey is increasingly becoming a country of destination for regular migration. At the same time, it also remains a notable transit and destination country for irregular migration. The civil war in Syria which started in 2011 is placing a heavy burden on the Turkish economy. It is estimated that about 3.5 million

Syrian refugees, 100,000 Iraqi refugees and more than 50,000 Afghan refugees are in Turkey. Key development needs for the refugees relate to education, housing and employment. Turkey hosts a large number of refugees in refugee camps equipped with schooling, health care and social services, while nearly 60% of refugees live in cities. In February 2017, the Minister of Interior Affairs stated that Turkey had spent over €2.5 billion since the beginning of the Syrian civil war on health care, education, nutrition, and social and other services for refugees.

In an effort to manage the influx of refugees into Europe, the European Union negotiated a deal with Turkey in November 2015. The European Union offered Turkey up to €3 billion in aid, and the prospect of easier travel visas and renewed EU accession talks in return for its support in stemming the flow of refugees to Europe. As part of European Union’s financial assistance to Turkey under the “Facility for Refugees in Turkey,” €1.2 billion was contracted to various U.N. agencies and international organizations – with the participation of Turkish civil society organizations – to support education, health care, socioeconomic and municipal infrastructure projects.

Citation:

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Safe Living

Safe Living
Conditions
Score: 3

In a 2014 OECD survey, 62% of Turkish respondents stated that they felt safe walking alone at night, slightly lower than the OECD average of 69%. Furthermore, 76% of respondents to the TUIK 2016 Life Satisfaction Survey expressed satisfaction with Turkey’s security services. However, the World Justice Project Rule of Law Index 2016 ranked Turkey 98 out of 112 countries in terms of order and security as a factor of rule of law. The rule of law in Turkey has deteriorated in recent years due to the increasing threat of terrorism and extremism, the failed coup attempt and the government’s use of state of emergency powers. Crime is poorly controlled, and instances of terrorism and violence, including intimidation and muggings, are increasing.

Since the beginning of 2015, homicides – particularly murders of women (honor crimes) – have increased. Between January and November 2017, 365 women were killed by a man (e.g., a husband or lover).

The General Directorate of Security was allocated €4.8 billion in 2016 of which 80% was spent on personnel. About €4.6 billion was spent on public order and security. There are approximately 319 police officers per 100,000 inhabitants. During the review period, 22,987 police officers were dismissed within the scope of FETO operations. The Turkish National Police (TNP) collaborates extensively with domestic partners and international organizations, such as INTERPOL, EUROPOL, SECI, AGIT, BM, CEPOL and FRONTEX. Moreover, the TNP has introduced an e-government infrastructure in many divisions and initiated several projects intended to bring operations into harmony with the EU *acquis communautaire*. Several projects were also initiated by the directorate, such as the Security Department Law Enforcement Services, Missing Person Alarm System, Media Monitoring System and Urban Security Management System. The failed coup attempt in July 2016 and the lack of sufficient personnel prevented several departments from achieving their performance indicators.

In 2010, the Under-Secretariat of Public Order and Safety was established to develop policies and strategies to combat terrorism, and to coordinate between relevant institutions and agencies. As of 2015, 97 personnel were employed by the under-secretariat. The under-secretariat has undertaken several national and international activities and surveys, and analyzed policy options for resolving the Kurdish issue. The number of special security service companies reached 1,405 in 2016 and 256,000 people were employed in this sector.

Many observers argue that Turkey needs a holistic, integrated and well-coordinated and centralized domestic security policy. This need, however, is challenged by the subsequent state of emergency and dismissal of thousands of staff in the security apparatus following the July 2016 failed coup attempt.

Citation:

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Bilal Akyüz, Türkiye'de İç Güvenlik Algısının Değiştirilmesi: İç Güvenlik Teşkilatı'na Yönelik Yeni Yapılanma Modeli, *The Journal of Defense Sciences*, May 2015, 14 (1): 65-87. http://www.kho.edu.tr/akademik/enstitu/savben_dergi/141/4.pdf (accessed 27 October 2015)

<http://www.hurriyetdailynews.com/365-women-killed-in-turkey-in-first-11-months-of-2017-report-124209>

Global Inequalities

Global Social
Policy
Score: 6

During the period under review, Turkey used development assistance to advance social inclusion and development beyond its borders. The government expanded its annual official development assistance (ODA) disbursements considerably from \$967 million in 2010 to \$6.2 billion in 2016. Turkey, thus, has become one of the leading countries in humanitarian assistance in the world.

Turkey's development cooperation is provided in line with the Statutory Decree on the Organization and Duties of the Turkish Cooperation and Coordination Agency (TIKA). TIKA designs and coordinates Turkey's bilateral development cooperation activities and implements projects in collaboration with other ministries, NGOs and private sector partners. In 2015, Turkey provided the largest share of its bilateral development cooperation to Syria, Somalia, Kyrgyzstan, Albania and Afghanistan. The main sectors for Turkey's bilateral development cooperation were humanitarian aid and refugee support, governance and civil society, education, health care and population.

III. Environmental Policies

Environment

Environmental
Policy
Score: 4

Sustainable development policies gained in importance in Turkey as part of the EU accession process, which involved the country taking steps forward in environmental policy and legislation. The environmental chapter (Chapter 27) of the EU acquis was opened in 2009. In terms of environmental impact assessments, Turkey is generally in line with EU environmental legislation. In recent years, considerable progress has been made toward establishing emissions controls, the use of renewable energies and promoting energy efficiency. In the 2016 Environmental Performance Index, Turkey was ranked 99 out of 180 countries. In the 2017 Climate Change Performance Index (CCPI), Turkey was described as showing "very poor performance" and was ranked 51 out of 61 countries falling one position compared to the previous year.

Turkey adopted the Instrument for Pre-Accession Assistance II (IPA II) in December 2015. Thus, budget implementation tasks for IPA funds' management, including environment and climate action, have been assigned. In April 2016, Turkey joined the EU Civil Protection Mechanism. However, it has not yet connected to the EU Civil Protection Mechanism's common emergency communication and information system. Court decisions related to the

environment are not in harmony with the Aarhus Convention. Also, the Strategic Environmental Assessments Directive is still pending. Recently, the government decided that environmental impact assessments would not be considered for strategically important investment projects from September 2016. This will have a negative impact on acquis implementation. Finally, Turkey has signed, ratified and is fulfilling its commitments under the U.N. Framework Convention on Climate Change.

Progress has also been made in terms of regulating air quality and industrial pollution, though it will take time and considerable funding to fully implement this legislation. On 2 April 2015, the Turkish Ministry of Environment and Urban Planning adopted a new regulation on waste management based on the EU Waste Framework Directive (2008/98/EC).

The framework legislation on nature protection and the national biodiversity strategy and action plan have not been adopted, and there are legal shortcomings, not in line with the acquis, in relation to wetlands, forests and natural sites. Areas such as industrial pollution and risk management, chemicals and noise need either effective regulation in line with international standards or effective implementation.

Citation:

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Global Environmental Protection

Global
Environmental
Policy
Score: 5

As a member of the OECD and the G-20, and as an EU accession candidate, Turkey has set sustainable-development targets. These are also a main concern of bilateral and multilateral cooperation. Turkey's Climate Change Action Plan 2011 – 2023 stresses its adherence to international commitments, standards and measures and foresees increasing cooperation with international actors, especially in the fields of combating climate change and improving energy efficiency, along with an active role in international activities more generally.

The Turkish government planned to include climate change in its G-20

presidency agenda and send a strong message from the G-20 Antalya summit to the Paris summit on climate change. Although this intention was overshadowed by the Paris terrorist attacks, Turkey was able to push several issues forward through its G-20 presidency. These include the G-20 Principles on Energy Collaboration (established in 2012), which recognize the need to support the global poor through improving access to energy, energy efficiency, renewable energy, market transparency, and the rationalization and phase-out of inefficient fossil fuel subsidies that encourage wasteful consumption. As a result, the G-20 Ministers of Energy adopted the G-20 Toolkit of Voluntary Options on Renewable Energy Deployment and the G-20 Energy Access Action Plan, the Voluntary Collaboration on Energy Access.

Turkish reservations based on national concerns complicated negotiations of the Paris Agreement on Climate Change, which entered into force on 4 November 2016 after 55 Parties to the Convention joined the agreement. The Turkish Ministry of Environment and Urban Planning signed the Paris Agreement in New York, and the Agreement was ratified by Turkey on 22 April 2016. So far, policy changes that would implement the necessary reforms and strengthen environmental sustainability in Turkey remain superficial.

Citation:
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Quality of Democracy

Electoral Processes

Candidacy
Procedures
Score: 7

The Turkish constitution, Law 298 on the basic principles of elections and the electoral registry, Law 2839 on deputies' elections, and Law 2972 on local-administration elections lay the legal groundwork for fair and orderly elections and prevent discrimination against any political party or candidate. However, the relative freedom given to each political party's central executive committee in determining party candidates (by Law 2820 on political parties, Article 37) renders the candidate-nomination process rather centralized, anti-democratic and exclusionary. The parliament weakened the centralization of political parties' leadership to some extent in 2014 with the passage of a law permitting co-leadership structures. However, administrative courts and the Council of State stopped these practices.

The nationwide 10% electoral threshold for parliamentary elections (Law 2839 on deputies' elections, Article 33) is a major obstacle for all small political parties. In 2008, the European Court of Human Rights (ECtHR) found the 10% electoral threshold to be excessive, but not in violation of the European Convention on Human Rights' (ECHR) Protocol 1 Article 3. As of November 2015, there were 100 registered political parties, although only 20 participated in the 7 June 2015 parliamentary elections, and 16 in the subsequent 1 November 2015 elections. The share of the representation of valid votes rose to 92% during the last two parliamentary elections. Parties' executive boards typically determine their parties' candidate lists, with the exception of the Republican People's Party, which holds a primary-election vote. An independent candidate who secures a majority of votes in his or her electoral district is allowed to take a parliamentary seat without regard to the nationwide threshold.

According to the constitutional amendments of 2017 (Article 101/3), political parties that either individually or as a coalition gained at least 5% of the total votes in the last parliamentary election can nominate a presidential candidate. In addition, independents can run as a presidential candidate if they collect at least 100,000 signatures certified by a public notary, which creates a financial obstacle for candidates. It is not yet clear whether a notarization for each signature will be required. However, if a notary is required, the cost of

collecting 100,000 signatures to the candidate is likely to be around TYR 15 million (€3.3 million).

Presidential candidates are not asked to pay a nomination fee; however, political parties require parliamentary candidates to pay a fee ranging from €185 to €2,800. Women candidates are generally asked to pay half or less of the fee required from male candidates. Most political parties do not ask for a nomination fee from disabled candidates. Independent candidates face greater obstacles, as they must submit a nomination petition along with a fee of about €2,279 (TRY 10,167). This fee is held by the revenue department of the provincial election board where the candidate is standing for election. If the independent candidate fails to be elected, this fee is registered as revenue by the Treasury.

Citation:

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Media Access
Score: 1

According to Law 3984 on the establishment of radio and television enterprises and broadcasts, “equality of opportunity shall be established among political parties and democratic groups; broadcasts shall not be biased or partial; broadcasts shall not violate the principles of election bans which are determined at election times.” However, legislation regulating presidential elections and referendums does not ensure equal access for political parties and candidates to public and private media. The Supreme Board of Elections’ ability to sanction electoral violations was repealed using the state of emergency decree issued in January 2017.

Currently, most mainstream media companies, including the state-owned radio and television company (TRT), are either directly or indirectly controlled by the government, or self-censor. Privately owned media outlets face either judicial or

financial investigations, and media freedom is thus being placed at risk in an unconstitutional manner.

During the April 2017 constitutional referendum, the “yes” campaign dominated visual media coverage. Government members, and the Justice and Development Party dominated 70% of all airtime taken by political groups. An independent observer group reported that the president and government party appeared on visual media for about 120,000 minutes, while the main opposition party appeared for about 3,000 minutes. The HDP, pro-Kurdish party, did not appear on any mainstream media channel. Restrictions on social media, violence against journalists and media outlets have increased.

After the 15 July coup attempt, government control over “mainstream” media and media critical of the government further increased. Large-scale lawsuits were systematically used against media outlets critical of the government. The visibility of opposition members in the news media gradually deteriorated. This was felt most dramatically by HDP parliamentarians who faced allegations of supporting terrorism and whose immunity was suspended in the months following 15 July.

Citation:

Gençkaya, Ömer Faruk, Umut Gündüz and Damla Cihangir-Tetik, Political Finance and Transparency İstanbul: Transparency International Turkey Chapter, 2016. <http://www.seffaflık.org/wp-content/uploads/2016/01/Siyasetin-Finansman%C4%B1-EN.pdf>. (accessed 16 January 2016)
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Voting and
Registrations
Rights
Score: 6

All Turkish nationals over the age of 18 can exercise the right to vote (Constitution, Article 67). The Supreme Election Board is the sole authority in the administration of Turkish elections (Law 298, Article 10). The General Directorate of the Electoral Registry, a part of the Supreme Election Board, prepares, maintains and renews the nationwide electoral registry.

The ban on military students and conscripts, and the blanket restriction on voting rights for prisoners are disproportionate and at odds with Turkey’s international obligations (e.g., Turkey’s OSCE commitments). About 600,000 citizens were ineligible to vote in the 2017 referendum. Moreover, special security zones were in place in a few provinces in the southeast of Turkey, which affected about 700,000 voters.

In 2008, the parliament passed a law facilitating voting for Turkish citizens who are not living or present in Turkey during elections (Law 5749). In the 2015 parliamentary elections, about 54 million voters were registered domestically, along with an additional 2.8 million voters living abroad. More than one million voters cast their votes abroad. The distance of polling stations from residents' homes and the comparatively short voting period can be considered as potentially major obstacles to voting.

Turkey has a passive electoral registration system maintained by the Supreme Election Board. Despite the recent revision of the national electoral registry based on an address-registration system, critics have noted that the number of registered voters and the number of eligible citizens registered in the address system do not match. In autumn 2015, these critics argued that about 672,000 citizens are missing from the electoral rolls. However, OSCE reports have judged the registration process to be reliable and inclusive.

Parliamentary and local elections are conducted by local election boards under the supervision of the Supreme Election Board. These local boards verify election returns and conduct investigations of irregularities, complaints and objections, with the national board providing a final check. Vote and Beyond (Oy ve Ötesi), a non-governmental organization, reported no significant violations of the law at the polling stations in 2015. Whether thousands of citizens, who were detained following the failed coup attempt or had their passports confiscated and cannot leave the country, will have their democratic rights restricted remains to be seen.

Disabled voters sometimes face difficulties if the polling stations lack appropriate access facilities.

Citation:

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Party Financing
Score: 4

Article 60 of Law 2820 requires political-party organs at every level to keep a membership register, a decision book, a register for incoming and outgoing documents, an income and expenditure book, and an inventory list. According to Article 73 of Law 2820, political parties must prepare yearly statements of revenues and expenditures, at both the party-headquarters and provincial levels. However, Turkish law does not regulate the financing of party or independent-candidate electoral campaigns. Presidential candidates' campaign finances are regulated by Law 6271; these candidates can legally accept contributions and other aid only from natural persons having Turkish nationality. However, the Supreme Election Board has allowed political parties to organize campaign activities and purchase advertisements for their candidates in a way unregulated by law. Thus, the state aid provided to the political parties can be used indirectly for presidential-campaign activities.

There is no legal ceiling for campaign expenditures. The finances of candidates in local and parliamentary elections are not regulated by law. There is no specific reporting obligation for campaign contributors, apart from a general requirement, based on the Tax Procedure Code, for individuals to declare expenses (which could include political contributions) to the tax authorities. Pursuant to Article 69 of the constitution, Article 74 of Law 2820 stipulates that political-party finances must be audited by the Constitutional Court to verify whether the parties' property acquisitions, revenues and expenditures are in compliance with the law. Auditing decisions by the Constitutional Court are published in the Official Gazette. The review report of the Supreme Election Board on presidential candidates' campaigns must be announced within a month of the audit's completion. However, the law does not specify where the audit result shall be announced.

The Constitutional Court, with the assistance of the Court of Accounts, examines the accuracy of information contained in a party's final accounts and the legality of recorded revenues and expenditures on the basis of information at hand and documents provided. However, the court's examination of the main parties' accounts is slow and sometimes takes longer than three years. Law 2820 contains criminal, administrative and civil sanctions on political parties' unlawful income or expenditures, with fines accruing to the state treasury.

Ceilings for donations to political parties by private individuals are evaluated each year. This level was approximately €10,349 in 2017. However, donations are often not properly or systematically recorded – for example, cash and in-kind contributions or expenditures made in support of parties or candidates during elections are not recorded. The funds collected and expenditures incurred by individual elected representatives or candidates during political party activities, including electoral campaigning, are not included in party accounts.

Party accounts published in the Official Gazette provide only general figures and potential infringements. The accuracy of the financial reports posted by political parties online needs to be examined. Critics have argued that discretionary funds controlled by the Prime Minister's Office (PMO) and the president were used for the incumbent party's campaigns.

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Popular Decision-Making
Score: 2

According to Article 67 of the constitution, all citizens over 18 years old have the right to take part in referendums. Referendums are held in accordance with the principles of free, equal, secret and direct universal suffrage, with votes counted publicly. In recent years, referendums were held to amend the 1982 constitution. Paragraph 3 of Article 175 of the constitution reads that, if the parliament adopts a draft constitutional amendment referred by the president by a two-thirds majority, the president may submit the law to a referendum. Laws related to constitutional amendments that are the subject of a referendum must be supported by more than half of the valid votes cast in order to be approved.

If a law on an amendment to the constitution is adopted by at least a three-fifths majority but less than a two-thirds majority of the total number of members of the Grand National Assembly, and is not sent back to the Assembly for reconsideration by the president, it is then published in the Official Gazette and submitted to a referendum.

A law on a constitutional amendment adopted by a two-thirds majority of the Assembly directly or upon the return of the law by the president may be submitted to a referendum by the president.

Popular decision-making is also possible at the local level. Law 5593 on municipalities (Article 76) enables city councils to implement policies for the

benefit of the public. Yet these units are not wholly effective, as they depend upon the goodwill of the local mayor, and some councils exist on paper only and have yet to be established in fact. Law 6360, in effect since 2014, paved the way for more centralized decision-making processes, including in urban planning and on local matters. Some municipalities conducted local referendums on traffic management and environmental planning.

Turkey has not signed the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention).

Citation:

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Access to Information

Media Freedom
Score: 1

Although Turkey has a somewhat diversified media structure, the government places direct and indirect pressure on media owners in order to obtain coverage favorable to the government party. Most critical private media groups have been seized or turned into politically friendly trustees. The oligopolistic and pro-government ownership of media outlets, and self-censorship are the main factors undermining media freedoms.

The constitutional guarantees of freedom of the press and freedom of expression are rarely upheld in practice. The current legal framework and practice are restrictive and do not meet EU standards. The government appoints the general director of the country's public broadcaster, Turkish Radio and Television (TRT). In doing so, it essentially exercises tutelage over the public-media organization's administration. Several TRT channels regularly broadcast pro-government programs, and invite experts allied with the government party to appear on these programs.

Most concerning for many observers have been the unprecedented expansion in the range of reasons given for journalists' arrests, the massive phone-tapping campaign and the contempt shown for source confidentiality. These factors have in sum reintroduced a climate of intimidation with regard to the media.

Media freedom deteriorated dramatically in the aftermath of the July 2016 failed

coup attempt. The Venice Commission reported that the use of state of emergency powers had violated media freedom. The Association of Contemporary Journalists reported that in the year following the state of emergency declaration on 20 July 2016, 318 members of the press were detained, 103 members of the press were arrested, 18 journalists were attacked, one journalist died, two online news sites were banned and 25 online news sites were suspended. Furthermore, a total of 147 media outlets were closed down, 1,404 members of the press were dismissed, and 32 parliamentary access cards and 624 yellow press cards were withdrawn. Thus, media pluralism was limited to a handful of low-circulation publications. Several foreign journalists were also detained or deported. Turkey ranked 155 out of 180 countries in the World Press Freedom Index 2017.

Particularly, the aftermath of the 15 July coup attempt saw high numbers of arrests, hearings, detentions, prosecutions, censorship cases and layoffs. A number of physical attacks on media outlets and journalists took place. The closure of media outlets, the appointment of trustees to control media groups, and the active use of the tax authority, the financial crimes unit and courts against critical media intensified.

Intimidating statements by politicians and lawsuits launched against journalists critical of the government, combined with the media sector's ownership structure, have led to widespread self-censorship by media owners and journalists. In some cases, journalists have simply been fired. The politicized Radio and TV Supreme Council (RTÜK) has issued disproportionate fines to pro-opposition media; however, after the 2015 parliamentary elections, the Supreme Election Board asked the RTÜK to issue fines to media companies that violated the election law.

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Media Pluralism
Score: 2

In addition to the increasing restrictions on media freedom in Turkey (see “Media Freedom” section), the country’s dominant media structure features ownership by industrial conglomerates, strong links between political forces and media organizations, and a lack of unionization in the media (a so-called Mediterranean or polarized pluralist media model). This undermines pluralism in the media sector. Adopted in 2011, Law 6112 increased the maximum allowable foreign-ownership stake in media companies from 25% to 50%, with the condition that a single foreign investor cannot invest in more than two enterprises. Foreign companies still cannot be majority stakeholders in domestic media companies.

Several media outlets were sold to unknown owners, who are assumed to have close government ties. Bianet Report found that media ownership lacks transparency and no information is available about the concentration of media ownership. Political control of the media, media financing and news agencies is high. In October 2016, the Press Advertising Authority (BIK), which controls the allocation of state advertising, adopted a new policy under which newspapers whose ownership, management or employees face terrorism-related charges cannot benefit from state advertising.

The economic interests of media owners constitutes a key problem for media freedoms. Although Article 29 of Law 3984 restricts media owners’ shareholder rights, owners with stakes in other business sectors have still used media coverage to promote their outside business interests. A significant share of media owners are industrial conglomerates with interests that conflict with freedom of the press and opinion, and some have close relationships with the government. This further undermines media independence, and increases self-censorship and job insecurity among journalists. The number of outlets belonging to the so-called pool media (Havuz Medyası) – media owned by government-allied businesses which the government can use – has expanded.

Media Pluralism Report stated that the preselected media owners serve the government. The government uses economic tools or seizes media outlets to reconfigure the media environment. Dissident media outlets and critical journalists regularly face attacks and sanctions.

Journalists living inside and outside Turkey have found ways to publish on newly created news websites and portals. However, access to these websites from within Turkey is censored by the authorities.

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Access to
Government
Information
Score: 4

According to Law 4982, citizens, noncitizens and foreign corporations have the right of access to government information. However, many public records are not included within the scope of the law, as there are exceptions for state secrets, intelligence information, individual privacy and communication privacy. There is no legislation on state and trade secrets, preventing effective use of access to information. Most public offices have a department that deals with access to information requests. These requests can be made in person or electronically.

Access to information rights and complaint mechanisms are not used effectively. A total of 1.6 million applications for information based on Law 4982 were submitted to public institutions in 2016. According to official information, 84% of requests resulted in the full provision of the requested information, 7.2% resulted in partial information or a negative response, and 8% were rejected. A total of 6,924 applications were found to concern state secrets or private issues. The government's annual report on access to information requests does not include details about the subject of the applications.

The Board of Review for Access to Information examines administrative decisions rendered under articles 16 and 17 of the access to information law. The board did not publish an annual report for 2015. As with other administrative decisions, appeals can be made to an administrative court if information requests are denied. A total of 622 information requests were appealed in 2015. Although the number of applications decreased radically, the number of "positive" responses from the relevant public bodies increased in 2015.

In addition to the right to petition (Law 3071), the Prime Minister's Communication Center has received public complaints, requests, denunciation and opinions since 2006. The center received two million submissions in 2016.

Finally, under its state of emergency powers, the government passed laws by

executive decree without the need for parliamentary debate. This sidelining of parliament and parliamentary deputies by the government exacerbated the already limited access of citizens to political decision-making processes.

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Civil Rights and Political Liberties

Civil Rights
Score: 2

While Article 10 of the constitution guarantees equality before the law, and Article 12 enshrines fundamental rights and freedoms, concerns over shortcomings in judicial proceedings remain, including limited access by defense attorneys to prosecution files, lengthy pretrial detentions, and excessively long and catch-all indictments. This relates especially to numerous cases involving Kurdish activists, journalists, union members, students, military officers, and policy and security personal being tried for alleged violations of the Anti-Terror Law. Many such cases are considered by domestic and foreign observers to be partly or even fully politically motivated. Fundamental rights (e.g., freedom of association, freedom of expression, freedom of religion and right to privacy) are severely at danger. Improper influence over regulatory enforcement is moderately high and respect for due process is declining. The accessibility, affordability and effective enforcement of civil justice need to be strengthened.

In the aftermath of the 15 July coup attempt, even more serious violations of civil rights have occurred. Although the government claims it conducts the rules of emergency government with utmost care, these practices are based on executive decrees having the force of law and are not subject to judicial review. Some decrees affected policy areas outside the scope of the state of emergency. The institutionalized neglect of civil rights in Turkey are reflected in mass arrests of alleged coup plotters and sympathizers, confiscation of their properties, sentences against journalists and opposition politicians, renewed violence in the southeast, widespread restrictions on freedom of expression, association and assembly, a deteriorating judicial system, violence against women and impaired relations with key international actors. In July 2017, the State of Emergency Procedures Investigation Commission was established to

receive the complaints from people who have been affected by the ongoing state of emergency. Over 100,000 people have submitted complaints to the commission to date. It is expected that the commission will make its first decisions in December 2017.

Political influence and pressure on the judiciary as well as allegations of conspiring with Gülenist organizations has weakened the independence of the judiciary as the sole guarantor for civil and political rights and liberties. The Justice Minister's right of veto, as ex officio President of the Council of Judges and Prosecutors (HSK), continued to be a source of major concern. Despite the reorganization of the judiciary, the court system does not work effectively.

Since September 2012, the Constitutional Court accepts individual petitions if the right to a fair trial has been violated. Since September 2012, 1,314 violations of the right to fair trial have been noted by the court. Article 148 of the constitution states that anyone who believes his or her human or civil rights as set forth in the European Convention on Human Rights (ECHR) have been infringed upon by a public authority has a right to apply to the Constitutional Court, after exhausting other administrative and judicial remedies. The cost of individual application was about €7.22 in 2017. Individual applications must be filed within 30 days after the notification of the final proceeding that exhausts other legal remedies. A total of 82 applications were made between January 2016 and November 2017. More than 16,000 applications were received by the European Court of Human Rights between January and July 2017, and about 13,000 cases remain pending.

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Political Liberties
Score: 3

Whereas the freedoms of thought, conscience and religion are generally respected, official violations of the freedoms of expression and assembly occur, particularly when criticism of the ruling government and its policies is involved. Several key pieces of legislation adopted regarding the rule of law and

fundamental rights were not in line with European standards, such as the law on data protection. The constitutional amendment to parliamentary immunities adoption in May 2016 allowed lifting immunity for a large number of deputies, and resulted in the detentions and arrests of several HDP members of parliament, including the two co-chairs in November 2016. Following the 2015 parliamentary elections, a peaceful solution for the Kurdish issue was replaced by a “nationalist” anti-terror policy by the government.

A highly controversial Internal Security Law adopted in March 2015 granted the police the power to detain a person caught in the act of committing a crime. A person can be kept in custody for 24 hours without seeing a judge, and this period can be extended to 48 hours if the police deem that a “collective crime” has been committed. The police forces have been allowed to use firearms against demonstrators, deepening fears of crackdowns on dissent ahead of parliamentary elections. This law was considered a threat to the Turkish state’s conflict-resolution negotiations with the PKK, and a means of attracting nationalist votes for the AKP.

In the Penal Courts of Peace established in July 2014, single judges have the authority to issue search warrants and approve detentions and the seizure of property. Judges have been criticized for undermining the public’s trust in the judiciary due to the arbitrary nature of their detainments, arrests and judgments.

The European Commission stated during the review period that the freedoms of expression and assembly have become major shortcomings in Turkey. Intimidation of journalists, up to and including physical attacks, has taken place. The Commission advised Turkey to improve monitoring of the implementation of the Action Plan on Prevention of ECHR Violations (adopted in March 2014). The Commission’s 2016 Progress Report identified several major weaknesses, including: the intimidation of and denial of accreditation to journalists; the government’s blocking of websites with or without a court decision; the lack of editorial independence within the public broadcast system, especially during the elections; and media ownership transparency more generally. The number of journalists in prison increased during the review period.

Although bans on social media imposed by the government in early 2014 were subsequently lifted by the Constitutional Court, legal provisions limiting the free use of the internet, presented as necessary for “national security and protection of the public order,” have raised additional concerns. Wikipedia has been suspended due to its anti-government content.

Human Rights Association of Turkey reported that the state of emergency has exceeded its initial purpose and become a permanent practice. This violates

Turkey's constitution (Article 15), the European Convention on Human Rights (Article 15) and the U.N. Civil Code (Article 4). Laws passed by decree have been used on almost every subject. In total, about 300 legislative changes have been passed by decree. In an extensive report on Turkey's state of emergency, Common Platform for Human Rights identified 12 constitutional violations between 21 July 2016 and 9 February 2017. All rules and practices related to municipal bodies are regulated through Municipal Law 5393 (Articles 38, 39 and 40), which was amended by Decree 674. The number of municipalities to which a trustee has been assigned has reached 80. A total of 320 refusal decisions made by Administrative Courts across Turkey. The Constitutional Court ruled that it is beyond its authority to review state of emergency decrees. In the aftermath of the coup attempt, the government seized numerous Gülenist companies and confiscated property worth nearly €10 billion.

The European Court of Human Rights declared 25,000 applications inadmissible for failure to exhaust domestic remedies. However, the European Court of Human Rights' decisions contradicted statements made by the Venice Commission and the Human Rights Commissioner of the Council of Europe concerning Turkey's state of emergency. The Secretary-General of the Council of Europe and the Venice Commission proposed creating an independent ad hoc Turkish body to examine individual dismissed cases, subject to judicial review. Subsequently, the Turkish government issued Decree 685 on 23 January 2017, establishing a commission to review its state of emergency procedures. It is expected that the commission will make its first decisions by the end of 2017.

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Non-discrimination
Score: 4

While Article 10 of the constitution guarantees equality before the law, irrespective of language, race, sex, political opinion or religion, the political reality in Turkey differs significantly from this constitutional ideal. The executive's political discourse discriminates and insults opposition groups, including the CHP (the main opposition party), the HDP (the pro-Kurdish party), journalists, academics and LGBT communities. Insulting the president is a crime in Turkey punishable by up to four years in jail. In 2016, 4,936 cases against people charged with "insulting" President Erdoğan were opened. The

courts convicted 1,080 of the defendants, acquitted 679 individuals and suspended judgment in 867 other cases.

The Law on the Human Rights and Equality Institution of Turkey provides a positive development toward non-discrimination. Turkey did not ratify Protocol 12 of the ECHR providing a general prohibition of discrimination. The definition of hate crime is excessively narrow, while the Criminal Code does not explicitly provide that racist, homophobic or transphobic motivations constitute an aggravating circumstance. Core elements of the anti-discrimination law are not in line with recommendations from the European Commission against Racism and Intolerance (ECRI). Members of the Human Rights and Equality Institution were selected by the Council of Ministers (eight members) and the president (three members) in March 2017, only one member of the institution is female.

The educational needs of refugee children, work permits for refugees and return of displaced Kurds are major issues affecting the integration of disadvantage groups. Although Turkey ratified the Council of Europe Istanbul Convention on preventing and combating violence against women and domestic violence, gender-related violence, hate speech and discrimination against LGBT communities are serious problems. LGBT communities do not have any legal protections. The number of female victims of violence increased from 278 in 2016 to 293 in 2017. Physical attacks on non-Muslim residents were reported during the period under review, and physical and verbal anti-Semitic assaults are common in public. According to the Anti-Defamation League's 2015 Global Anti-Semitism Index, 71% of Turkey's adult population is estimated to harbor anti-Semitic attitudes – a slightly higher figure than for the Middle East and North Africa (MENA) region overall.

A number of high court rulings remain unimplemented, including the European Court of Human Rights' December 2014 decision on cemevi (gathering places for Alevi Muslims) as a place of worship and February 2015 rejection of Turkey's appeal on the issue of compulsory religious-education classes, as well as the Turkish Court of Cassation's August 2015 judgment on cemevi as religious locations within the scope of the ECHR ruling. Some leading politicians' "uneven" treatment of the Alevis negatively affects the public atmosphere.

The use of Kurdish and some other languages in formal education gradually widened. However, investigations and detentions of Kurdish activists have undermined efforts to find a workable solution to the Kurdish issue. The government introduced a National Strategy and Action Plan for Roma people, yet Roma continued to face discrimination in social and economic life.

Three years ago, the Ministry for Family and Social Policies adopted a national action plan to combat violence against women. However, despite rising public awareness, the incidence of violence against women in Turkey has undergone a dramatic and rapid increase in the last decade. Even though a large number of cases go officially unreported, women's rights groups reported that 230 women had been killed in 2016 as of mid-November. In some cases, courts have ruled that "extenuating circumstances" existed for perpetrators of so-called honor crimes. A 2014 Penal Code amendment expanding penalties for violence against women was considered unsatisfactory by women's rights associations. A controversial amendment on victims of sexual abuse was submitted by a group of AKP deputies in early November 2016, yet withdrawn by the Constitution Commission following street protests. Gender discrimination and discrimination against LGBTI in the workplace is widespread.

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Rule of Law

Legal Certainty
Score: 2

Several articles in the Turkish constitution ensure that the government and administration act in accordance with legal provisions, and that citizens are protected from the despotism of the state. Article 36 guarantees citizens the freedom to claim rights, and Article 37 concedes the guarantee of lawful judgment. According to Article 125, administrative procedures and actions are subject to administrative review. In 2016, the Council of State, the country's

highest administrative court, received more than 272,211 files and reviewed 135,741 cases. There is no available data about the average length of time spent on each case or how many procedures and actions were annulled by administrative courts.

The main factors affecting legal certainty in the administration are a lack of regulations on particular issues, the misinterpretation of regulations by administrative authorities (mainly on political grounds), and unconstitutional regulations that are adopted by parliament or issued by the executive. In addition, the high frequency of amendments to some basic laws under certain circumstances lead to a lack of consistency. High-profile prosecutions can follow unpredictable courses. For example, after prisoners associated with the clandestine Ergenekon network were released, they were called back for a retrial. Legal as well as judicial instruments are sometimes used against government opponents, especially those in the media.

The 15 July failed coup attempt caused a major uncertainty in legal and practical terms. The governmental decrees issued during the state of emergency are not subject to judicial review. Moreover, at least 110,000 public servants mainly from the military, judiciary, health sector and universities were dismissed. The restructuring of the public service will take time and lead to further uncertainty, especially given the need to harmonize the current legal framework and constitutional amendments. More importantly, the government regulated some public matters by the state of emergency decree instead of through legislation, as is required by the constitution. During the review period, the practice of detaining and releasing journalists and pro-Kurdish politicians without clear legal cause became a regularity. The State of Emergency Procedures Investigation Commission has been established and is expected to publicize its decisions by the end of 2017.

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Judicial Review
Score: 3

The constitution (Article 9) emphasizes judicial impartiality and independence. Moreover, the constitution (Article 125) states that all government administrative decisions and actions are subject to judicial review. Developments during the review period demonstrated that the Constitutional Court plays a vital role in safeguarding judicial review in Turkey.

According to the amended constitution (Article 105), a parliamentary investigation can be opened against the president if an absolute majority in the parliament votes that the president likely committed a crime. Criminal investigations against the general chief of staff and other army commanders can be initiated with the prime minister's approval. Moreover, the trial of the under-secretary of the National Intelligence Service (MIT) is subject to the approval of the president. Acts within the president's area of competence, decisions of the Supreme Military Council (excluding acts relating to promotion or retirement) and decisions of the Council of Judges and Public Prosecutors (except for dismissals of public officials) are open to judicial review.

The Turkish judiciary is currently under severe pressure, given the substantial increase in cases. The effectiveness of the judiciary in the aftermath of the attempted coup was further compromised by the dismissal of 4,000 judges, prosecutors and judicial staff. In order to fill the large number of vacancies in the judiciary, the government launched 4,000 judges and 2,000 prosecutor cadres in mid-2017. However, independent observers state that judicial performance has been slowing down. In January 2017, the Court of Cassation had 804,344 appeal files to be reviewed, while the Council of State had 32,298 first instance court files and 219,977 appeal files. Since 2015, no data about the number of files before administrative courts has been available.

Judicial independence and impartiality has been undermined by the contradictory and unclear court indictments concerning several prisoners. The Cumhuriyet trial started on 11 September 2017, 300 days after executives and journalists of the Cumhuriyet daily newspaper were detained. The judiciary should be fair and neutral in politically oriented cases. However, since 2007, politicization of the judiciary has been increasing. Criminal investigations are not conducted effectively. Prosecutors' indictments do not provide concrete, reliable and objective documentation. Delays and postponements in trials are unreasonably widespread. Finally, courts are known to unfairly discriminate.

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Appointment of
Justices
Score: 3

The 2015-2019 Judicial Reform Strategy continues to be implemented. However, no measures were taken to tackle key shortcomings on independence and impartiality. It is crucial that the strategy is revised to address key outstanding problems and is implemented with the involvement of all relevant stakeholders, including civil society.

The structure of the so-called Gülenist parallel state in the judiciary came to attention beginning in 2013 and has undermined the judiciary’s credibility. While the number of court cases is increasing – not least after 15 July 2016 and the dismissal of thousands of judges and prosecutors allegedly linked to Gülenist networks – the lack of professional judicial personnel creates further deadlocks.

The Constitutional Court has 17 members, as outlined by Article 146 of the 2010 constitutional referendum, whose members are nominated or elected from other higher courts by the country’s president, the parliament and professional groups made up of senior administrative officers, lawyers, first-degree judges, prosecutors or Constitutional Court rapporteurs who have served for at least five years.

To be appointed to the Constitutional Court, candidates must either be members of the teaching staff of institutions of higher education, senior administrative officers or lawyers; be over the age of 45; have completed higher education; and have worked for at least 20 years. Constitutional Court members serve 12-year terms and cannot be reelected. The appointment of Constitutional Court judges does not take place on the basis of general liberal-democratic standards such as cooperative appointment and special majority regulations. In addition, the armed

forces still wield some civilian judicial influence, as two military judges are members of the Constitutional Court.

Recruitment patterns in the past have highlighted the politicization of the judiciary. Following the recently adopted constitutional amendments, four members of the new Council of Judges and Prosecutors (HSK) were appointed directly by the president and seven members were elected by parliament. The HSK does not offer adequate safeguards for the independence of the judiciary and considerably increases political influence over the judiciary.

Citation:

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Corruption
Prevention
Score: 2

Law 5018 regarding public financial management and oversight also touches on issues of legality, transparency and predictability. However, these concepts, as well as instruments such as the formation of strategic plans, performance budgets and regulatory impact assessments, are not effectively incorporated into government oversight processes. An amendment to the law on audit court has limited the degree to which state expenditures can be audited. Public-procurement safeguards have deteriorated thanks to legislation allowing municipalities to operate in a less than transparent fashion. There are no codes of conduct guiding members of the legislature or judiciary in their actions. Conflicts of interest are not broadly deemed a concern, and there is no effective asset-declaration system in place for elected and appointed public officials.

The asset-declaration system was established in 1990 by Law 3628 on Asset Disclosure and Fighting Bribery and Corruption. All public officials (legislative, executive and judicial, including nationally and locally elected officials) must disclose their assets within one month of taking office and renew their declaration every five years. However, these declarations are not made public unless there is an administrative or judicial investigation. The Regulation on Procedure and Basis of Application of the Civil Servants Ethical Behavior Principles defines civil service restrictions, conflicts of interest and incompatibilities. The Council of Ethics for Public Officials lacks the power to enforce its decisions through disciplinary measures. Codes of ethics do not exist for military personnel or academics. Legal loopholes (e.g., regarding disclosure

of gifts, financial interests and holdings, and foreign travel paid for by outside sources) in the code of ethics for parliamentarians remain in place. In 2016, a total of 1,792 public civil servants across 26 institutions were provided ethics training. The European Commission continued to sponsor ethics leadership training for Turkish civil society groups in 2017.

Political party finances are regulated by Law 2820. Parties that achieve 3% or more of the valid votes during the general election receive state aid, and those overcoming the 10% threshold receive higher sums proportionate to the share of votes received. Parties' accounts are reviewed annually by the Constitutional Court, although this process is not timely. In recent years, the court found that the main parties had received or spent money unlawfully.

In general, corruption remains widespread, and unfair and biased bureaucratic treatment is common. Especially at the local level, corruption remains a systemic problem. While municipalities controlled by opposition parties are closely monitored by law-enforcement authorities and government inspectors, municipalities controlled by the AKP are shielded from close scrutiny. The Turkish Court of Accounts reported several improper transactions in the 2016 annual accounts of several metropolitan municipalities, including Ankara, İstanbul, Gaziantep, Bursa, Ş.Urfa and Kocaeli. However, these reports have not been discussed by the parliament. Though the reports were published in the media and online, publicly exposing hidden budget expenditures, housing-procurement abuses and tax compromises. Instead of prosecuting the corrupt officials, President Erdoğan simply removed them from office.

A 2014 omnibus law amended various aspects of Turkish public-procurement legislation, introducing restrictive measures that make the previously optional domestic price advantage of up to 15% compulsory for "medium and high-technology industrial products." The law authorizes the Ministry of Science, Industry and Technology to determine the list of items for which a domestic price advantage will be compulsory; this gives considerable discretion to the administration.

During the review period, corruption has deepened due to the rentier economy, the government's authoritarian tendencies, weakened parliamentary oversight, dysfunctional public administration and financial audit institutions, and impunity. Moreover, the gold trader Reza Zarrab's testimonies in the U.S. indicate that Zarrab bribed former AKP ministers with millions of U.S. dollars between 2011 and 2013. On 17 December 2015, the Bribery and Corruption Investigation decided not to prosecute four ministers and their relatives. In January 2015, due to the AKP's parliamentary majority, the Turkish parliament voted not to put the ministers on trial. Though these cases can be reopened in

future. The main opposition party leader stated that the President Erdoğan's family members transferred millions of U.S. dollars to a company in the Isle of Man (a tax haven) in 2011 and 2012. In a counter attack, the Minister of Interior removed the mayor of Ataşehir, a town in İstanbul, from office following allegations of corruption.

Citation:

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Governance

I. Executive Capacity

Strategic Capacity

Strategic
Planning
Score: 6

All public institutions, including municipalities, special provincial administrations (laws 5216, 5302 and 5393) and state-owned economic enterprises (KİTs), but excluding regulatory and supervisory bodies, must prepare strategic plans according to Law 5018 (2003) on Public Financial Management and Control and the By-law on Principles and Procedures for Strategic Planning in Public Administrations (2006).

Ministries have established strategic-planning units, creating the need for inner- and interministerial coordination and cooperation on present and future tasks and problems. In general, the Prime Minister's Office, the Ministries of Finance, Development and Interior, the Turkish Grand National Assembly, the Turkish Court of Audit, and the Board of Internal Audit are the primary institutions involved in the process of strategic planning. The High Planning Board of the Ministry of Development is in charge of coordinating development plans and annual programs, and determining investment and export incentives.

Strategic management within the Turkish public administration faces several challenges. Public institutions in general have insufficient strategic-management capacity. Strategic plans, performance programs, budgets and activity reports are prepared with little if any coordination. Although a total of 730 internal auditors are employed across 207 public institutions, the Turkish public administration as a whole has failed to develop an effective internal-audit system. The Court of Audit cannot fulfill its functions and pursue performance audits. There is no relationship between political strategy documents and lower-level policy materials, and little coordination between associated institutions. Difficulties in gaining access to relevant information within public administrative bodies and insufficient human resource capacities are additional major contributors to this failure. There are also no cumulative statistics on the

frequency of meetings between strategic-planning staff members and government heads. In general, these meetings are held once a year and during budget negotiations. However, there is no harmony between strategic plans and governmental decisions.

During the review period, the 2016 – 2019 National e-Government Strategy and Action Plan was prepared. The plan envisages an integrated, technological, participatory, innovative and high-quality Effective e-Government Ecosystem, and takes into account national and international considerations.

Citation:

T.C. Kalkınma Bakanlığı, Kamuda Stratejik Yönetim Çalışma Grubu Raporu, Onuncu Kalkınma Planı (2014-2018),

<http://www.kalkinma.gov.tr/Lists/zet%20htisas%20Komisyonu%20Raporlar/Attachments/264/Kamuda%20Stratejik%20Y%C3%B6netim%20C3%87al%C4%B1%C5%9Fma%20Grubu%20Raporu.pdf> (accessed 7 November 2016)

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Yüksek Planlama Kurulu, <http://www.kalkinma.gov.tr/Pages/Yuksek-Planlama-Kurulu.aspx> (accessed 1 November 2017)

Scholarly Advice
Score: 4

In former years, the frequency of participation by non-governmental organizations (NGOs) and experts in political decision-making processes were increased. In addition to working with pro-government think tanks, the government consults with academic experts in the context of projects sponsored by the United Nations, the Council of Europe and the European Union.

However, the spectrum of communication with outside experts is narrowing, as the government has begun to recruit its own experts to provide alternative but not critical opinions on relevant issues of public policy. Policymaking is increasingly biased. As Turkish politics has become increasingly polarized, the government and the ruling party have seemed to shut themselves off from broader societal influences, basing decision-making increasingly on information provided by loyal personal or clientelist networks. Several academics who had previously worked with the government were recently dismissed from their university positions due to their associations to Gülenist organizations.

Public institutions' annual activity reports provide no indication of how often expert opinions have been requested. Selected groups of scholars participate in the preparation of special expert reports related to the national development plans. The Turkish Academy of Sciences has been critical of the lack of scholarly cooperation with public institutions.

Citation:

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Mevzuat Hazırlama Usul ve Esasları Hakkında Yönetmelik, 19.12.2005, <http://www.mevzuat.gov.tr/MevzuatMetin/3.5.20059986.pdf> (accessed 27 October 2015)

Interministerial Coordination

GO Expertise
Score: 5

The Prime Minister's Office (PMO) has established a General Directorate of Laws and Decrees and a General Directorate of Legislation Development and Publication. The directorates scrutinize bylaws prepared by ministries and public agencies, examining their congruity with existing draft bills, decrees, statutes, regulations and Council of Minister resolutions. The General Directorate of Legislation Development and Publication also examines the congruity between existing legislation, development plans and programs, and the government's program. The Directorate of Administration Development, which employs 13 experts and researchers, deals with standardization. These units are the primary government entities charged with drafting and coordinating new regulations. However, not all draft bills are the product of expert advice. Recently, the number of adjustments to draft bills made during the parliamentary-approval process indicated that standards were only partially upheld.

During the review period, the PMO had a total of 2,253 employees, a quarter of whom were experts or advisers, or able to provide similar services. A Sectoral Monitoring and Assessment Unit was established to provide advice to the PMO in 2011. In May 2015, about 266 career employees from various public institutions were assigned to this unit. Critics argue that these senior civil servants lack sufficient resources, as well as incentives for effective action. Until the "cleansing" activities of the government following the 15 July coup attempt, the unit was also alleged to be a "detention camp" for bureaucrats supposedly close to illegal Gülenist organizations.

Citation:

TC Başbakanlık 2016 Yılı Faaliyet Raporu, http://www.basbakanlik.gov.tr/docs/KurumsalHaberler/Basbakanlik_2016_Faaliyet_Raporu.pdf (accessed 1 November 2017)

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GO Gatekeeping
Score: 9

According to Article 112 of the constitution, the prime minister, as chairman of the Council of Ministers, is tasked with ensuring cooperation among ministers and with supervising the implementation of government general policy. The members of the Council of Ministers are jointly responsible for the

implementation of policy. Each minister is responsible to the prime minister and is responsible for the conduct of affairs under his or her jurisdiction and the acts and activities of his or her subordinates. The prime minister ensures that the ministers exercise their functions in accordance with the constitution and the law, and can take corrective measures. Article 109 of the constitution, which gives the prime minister the power to appoint ministers, also makes his or her oversight power over ministerial proposals clear. However, ministries have been able to exercise greater influence during periods of coalition government. In those times, to prevent this, a special coordinating body composed of ministers from coalition parties sets the agenda for cabinet meetings. In contrast to that, since the presidential election in 2014, and the re-election of the AKP into power in 2015, the presidency evolved into another strong power center in the policymaking process, indicated by the regularity with which President Erdogan has chaired cabinet meetings. During the review period, Erdoğan's de facto status as chair of the cabinet became de jure following his election as chair of the AKP in May 2017. The Presidential Office has assumed primary authority for coordinating between ministries, with the PMO becoming a secondary authority.

There is also a hidden (discretionary) budget which is allocated by the prime minister and the minister of finance. Following the 2014 presidential elections, an additional presidential discretionary budget was also created. The total expenditure from these funds reached €471.3 million during the first eight months of 2017. These funds are not audited.

Citation:

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Line Ministries
Score: 7

The Prime Minister's Office (PMO) has a twofold role in the preparation of draft bills. It checks the congruity of laws from a legal point of view, and collects ministries' legal and political opinions along with opinions from civil society, interest and pressure groups, expert groups and institutions. Thus, the PMO is always directly involved in the preparation of policy proposals at a relatively early stage.

However, line ministries do not always provide all the information necessary for draft bills, particularly in the case of information that may cast their ministry in a bad light. From time to time, policymaking is tarnished by issues of bureaucratic competition, including among politicians. The PMO's inability to

foster interministerial cooperation has been a serious institutional shortcoming. A recent reorganization of the PMO and line ministries led to some performance declines. Conflicting announcements regarding policy proposals made by the PMO and line ministries have been a sign of weak coordination.

The Ministry of Development was assigned as the primary consultation body in preparing policies according to the decision on the implementation, coordination and monitoring of the government's program. After the parliamentary election of 1 November 2015, government proposals to restructure the ministries and increase their number were made. Several new public units such as the National Mine Institute were additionally established. It remains to be seen whether this kind of institutional fragmentation of policymaking will hinder or enhance the effectiveness of policy coordination and accountability.

During the review period, it is assumed that the president worked closely with the line ministries, although there is little public evidence of this. It is unclear how the current system will be transformed into a presidential system.

Citation:

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Cabinet
Committees
Score: 6

The Ministry of Development was designated the primary consultation body for the preparation, implementation, coordination and monitoring of the government's program.

The Better Regulation Group within the PMO ensures coordination among the related agencies and institutions and improve the process of creating regulations. In addition, the government has created committees – such as the anti-terror commission under the Ministry of Interior, which includes officials from the ministries of Foreign Affairs and Justice, as well as other security departments. These are composed of ministers, experts, bureaucrats and representatives of other bureaucratic bodies (such as those on legislation techniques, legislation management and administrative simplification, and regulatory impact analysis) in highly important policy areas or when important or frequently raised issues were under consideration.

Other such committees include the Economy Coordination Board, the Money Credit Coordination Council, the Investment Environment Coordination Board, the Coordination Board for Combating Financial Crimes and the Counter-Terrorism Coordination Board.

In addition, the Reform Monitoring Group was renamed to Reform Action Group to coordinate policy measures in line with EU legislation. It has been extending its predecessor's tasks and mission. The new body is tasked with monitoring political reforms, preparing draft reform bills and playing an active role in securing proposals' parliamentary passage and in the subsequent implementation process. However, this body had convened only three times until December 2015, raising doubts about its impact on policymaking.

Citation:

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<http://www.resmigazete.gov.tr/eskiler/2014/10/20141017-11-1.pdf> (accessed 27 October 2015)

Daily Sabah, PM asks other parties to support passing EU bills, 11 December 2015, <http://www.dailysabah.com/eu-affairs/2015/12/12/pm-asks-other-parties-to-support-passing-eu-bills>

Ministerial
Bureaucracy
Score: 5

Ministerial undersecretaries, under the authority of a minister and his or her aide, executes services on behalf of the ministers. This is a political position that is achieved through merit and a successful political career. Deputy undersecretaries in the ministries also help to conduct ministerial affairs.

During the review period there was an increasing tendency to draft and adopt legislation without appropriate consultation. The creation of new ministries and agencies and the resulting fragmentation of responsibilities has complicated ministerial coordination, for example in the areas of budgeting and medium-term economic policymaking. The oversight bodies under the Prime Minister's Office are responsible not only for coordinating and overseeing legal proposals, but are also tasked with monitoring legislative implementation.

The 2016 Annual Activity Report of the Prime Minister's Office (PMO) stressed that although the PMO has the authority to coordinate ministries, its powers are not used effectively. The authority of the PMO over public administration should be improved and diversified.

Similar observations have been made by the Ministry of Development, the primary policy-coordination body. Accordingly, a serious problem is inefficient coordination due to institutional ambiguity and conflicts.

Citation:

Ömer Öz, Regulatory Oversight Bodies in Turkey. Better Regulation Group, The Prime Minister's Office of Turkey,

31 May 2011, <http://www.oecd.org/mena/governance/48710734.pdf> (accessed 5 November 2014).

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<http://www.resmigazete.gov.tr/eskiler/2014/10/20141017-11-1.pdf> (accessed 27 October 2015)

Informal
Coordination
Score: 6

Informal bodies, which are usually made up of senior party members and their personal networks, are typically used to sketch the framework of an issue in consultation with experts, while civil servants develop proposals, and finally the upper administrative echelons finalize policy. The higher levels of the ruling party in particular, in cooperation with ministers who have considerable experience in their fields, continue to form a tight network and contribute significantly to policy preparation.

However, the recent allegations of and fight against an illegal parallel structure within existing state structures linked to the network of U.S.-based cleric Fethullah Gülen placed significant strain on these informal mechanisms. As a consequence, a new generation of cabinet and administrative staffers with a high degree of loyalty and commitment to the party-state system is being groomed.

Informal coordination between the PMO and the Presidency has allegedly become more relevant since President Erdoğan took over office, and especially after Binali Yıldırım became prime minister. Erdoğan regularly meets with line ministers and with the “small cabinet” to coordinate government policies. This type of informal coordination, however, cannot be considered constructive, but rather it has the potential to replace formal mechanisms of interministerial coordination.

Citation:

Bülent Duru and İlhan Uzgel, *AKP Kitabı-Bir Dönüşümün Bilançosu*, İstanbul: Phoenix Yayınevi, 2013.

Evidence-based Instruments

RIA Application
Score: 4

In 2007, the Prime Minister’s Office issued a circular that provided guidance on how to prepare regulatory impact assessments (RIA). Since that time, the completion of a RIA has been required for all new legislation (laws, decrees and other regulatory procedures), excluding issues relating to national security, the draft budget or final accounts (under Article 24 of Regulation 4821 on the Procedure and Principles of Preparing Legislation, 12 December 2005). However, despite regulations adopted to encourage administrative simplification in April 2012, the introduction of RIAs has not improved the quality of government legislation, and RIA processes are only rarely followed.

During the review period, several chambers of industry conducted EU-funded RIA projects. The EU Regulation on the Export and Import of Harmful

Chemicals Technical Support Project for Implementation was conducted by several Turkish chambers of industry, including Balıkesir, Kayseri and Kocaeli. The European Union also funded the Technical Assistance for Capacity-Building and Support to the Preparation of a Regulatory Impact Assessment (RIA) for Decoupled Agricultural Support project.

Citation:

Dr. Sibel Güven, Türkiye’de Düzenleyici Etki Analizi (DEA) Uygulamaları Nedenİstenen Düzeyde Değil? TEPAV,

Ankara, Ocak 2011.

Technical Assistance Service for IPPC – Integrated Pollution Prevention and Control in Turkey, Draft Regulatory Impact Assessment, June 2013, <http://www.csb.gov.tr/db/ippceng/webmenu/webmenu9986.pdf> (accessed 5 November 2014).

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Quality of RIA
Process
Score: 3

During the period under review, the regulatory impact assessment (RIAs) requirement did not help improve the quality of proposed government legislation. Instead, the government more often than not drafted and adopted legislation without the appropriate consultation of NGOs or other stakeholders; not to mention the government’s de facto surpassing of the parliament under its state of emergency powers.

Citation:

Dr. Sibel Güven, Türkiye’de Düzenleyici Etki Analizi (DEA) Uygulamaları Neden İstenen Düzeyde Değil? TEPAV,

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Sustainability
Check
Score: 3

The government has conducted several sustainability checks within its regulatory impact assessment (RIA) framework, for instance for the Waste Electrical and Electronic Equipment (WEEE) Directive, the Habitat Directive and the Discharge Directive.

However, these examples refer to internationally sponsored projects and are not an indication of a general administrative practice. Politicians and experts widely use the term “sustainability” in policy slogans, but there is no formally adopted sustainability strategy in Turkey.

During the review period, the Coordination Board of Internal Audit published Performance Audit Guidelines for Public Sector Internal Auditors, which includes sustainability checks as a component in performance auditing. However, there is no information about RIA sustainability checks.

Citation:

Başbakanlık, Bürokrasinin Azaltılması ve Kamu Hizmet Sunum Esaslarının Geliştirilmesi, DÜZENLEYİCİ ETKİ ANALİZİ RAPORU, Temmuz 2009, [www.riaturkey.org/doc/Burokrasinin_ azaltilmasi.doc](http://www.riaturkey.org/doc/Burokrasinin_azaltilmasi.doc) (accessed July 26, 2010)

Yavuz Gazibey, Ahmet Keser, Yunus Gökmen, Türkiye’de İllerin Sürdürülebilirlik Boyutları Açısından Değerlendirilmesi, Ankara Üniversitesi SBF Dergisi, 2014, 69(3): 511-544. (accessed 27 October 2015)

İç Denetim Koordinasyon Kurulu, Kamu İç Denetçileri İçin Performans Denetimi Rehberi, 2016, <http://www.idkk.gov.tr/SiteDokumanlari/Mevzuat/Ucuncul%20Duzey%20Mevzuat/PerformansDenetimiRehberi.pdf> (accessed 1 November 2017)

Societal Consultation

Negotiating
Public Support
Score: 4

According to the Regulation Concerning the Procedures and Principles of Preparation of Legislation (Article 6), ministries may announce draft texts that are of public concern via the internet, press or printed publication before forwarding it to the Prime Minister’s Office. Consequently, government decisions are made after the draft text has been publicly debated. In developing policies on housing, energy and education, among other policy areas, ministries may convene consultative bodies of major stakeholders, although not all sectors or organizations are typically included. Turkey’s national development plans emphasize the importance of cooperation between NGOs and the public sector. The EU-funded public-civil society dialogue projects promote the participation of civil society in public decision-making. Government-society and parliament-society relations are not based on a systematic, ongoing and structured consultation mechanism. Political polarization during the review period increased the government’s restrictions and biases on public access to policymaking processes and strengthened its preference to consult only with pro-government actors.

In general, governmental authorities consider this requirement to have a “slowing” effect on policymaking (e.g., on progressive projects such as urban renewal or the planning of hydroelectric power plants). Although it is required by the legal framework, societal consultation has largely been neglected or rendered ineffective.

TBMM Başkanlığı İdari Teşkilatı 2014 Faaliyet Raporu, https://www.tbmm.gov.tr/docs/faaliyet_raporu_2014.pdf (accessed 27 October 2015).

Türkiye’de Hidroelektrik Sektöründe Paydaş Analizi, İstanbul: WWF-Türkiye, 2015, http://awsassets.wwftr.panda.org/downloads/wwf_paydas_analizi.pdf (accessed 27 October 2015).

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Selami Erdoğan and Eray Acar, “Türkiye’de Yeni Anayasa Yapım Süreci ve TBMM Anayasa Uzlaşma Komisyonu (2011-2013),” Sosyal Bilimler Dergisi, October 2016, 1801-191.

Hakan Yerlikaya, Kamu Politikalarının Oluşturulmasında Katılımcılık ve Bilgi ve İletişim Teknolojileri, Uzmanlık Tezi, TC Kalkınma Bakanlığı, 2015.

Gökçeçek Ayata and Ulaş Karan, Sivil Topluma Aktif Katılım: Uluslararası Standartlar, Ulusal Mevzuattaki Engeller, Öneriler, İstanbul: TÜSEV, 2015.

“Kamu - Sivil Toplum İşbirliği,” <https://www.avrupa.info.tr/tr/kamu-sivil-toplum-isbirligi-37> (accessed 1 November 2017)

Policy Communication

Coherent
Communication
Score: 5

In spite of its centralized and hierarchical structure, Turkey's executive is poorly coordinated and rarely speaks with a single voice. Contradictory policy statements on the economy (role of the central bank), security (failure in security and safety provisions) or education (reform of the examination processes) are regular.

In addition, under state of emergency powers, the voice of the president is considered decisive. Yet, a coordinated "division of labor" has not been achieved. Following the April 2017 constitutional referendum, the government initiated a project to prevent confusion over overlapping ministerial authority, reduce the "bureaucratic oligarchy" and improve the effectiveness of administrative processes.

Citation:

"Yetki karmaşaları mercek altında," *Hürriyet*, 3 September 2017, <http://www.hurriyet.com.tr/yetki-karmasali-mercek-altinda-40568608> (accessed 1 November 2017)

"Cumhurbaşkanı Erdoğan'dan TEOG ve LYS açıklaması," *Yeni Şafak*, 27 September 2017, <http://www.yenisafak.com/gundem/cumhurbaskani-erdogandan-teog-ve-lys-aciklamasi-2796903> (accessed 1 November 2017)

"Başbakan Yıldırım'dan TEOG açıklaması," 3 October 2017, <https://www.ntv.com.tr/turkiye/basbakan-yildirimdan-teog-aciklamasi,gexFodLrykKgWvTypnFNow> (accessed 1 November 2017)

"Milli Eğitim Bakanı Yılmaz, TEOG yerine gelecek yeni istemi açıkladı," 5 November 2017, <http://www.trthaber.com/haber/gundem/milli-egitim-bakani-yilmaz-teog-yerine-gelecek-yeni-istemi-acikladi-340141.html> (accessed 5 November 2017)

Patates fiyatında bakanlar da anlaşılmadı, 8 May 2015, <http://www.ohaber.com/patates-fiyatinda-bakanlar-da-anlasamadi/> (accessed 27 October 2015)

Erdoğan Merkez Bankası'nı eleştirdi, dolar rekor kırdı, 4 February 2015, http://www.bbc.com/turkce/ekonomi/2015/02/150204_erdogan_dolar_faiz (accessed 27 October 2015)

Implementation

Government
Efficiency
Score: 6

The government's performance has been mixed during the review period. Finance Minister Naci Ağbal defined the 2017 budget as "growth friendly," and foresaw a TYR 46.9 billion budget deficit and TYR 10.6 billion primary budget surplus. As of October 2017, the budget deficit had reached TYR 35 billion. Presidential and prime ministerial discretionary funds increased 73% compared to 2016.

The economy has weakened over recent years. Meanwhile, Turkey's onetime proactive and strategic foreign and security policies have become increasingly less coherent, particularly with regard to regional conflicts. The AKP's credibility was undermined by the party leadership's unwillingness to accept the

results of the June 2015 elections. Contradictions between the goals of political liberalization and the government's conservative-religious ambitions have become increasingly visible. Seeking to consolidate its control over government, the AKP has instead sought to create a legal framework for its "monopolization" of power. Opposition forces inside and outside of parliament often play into the ruling party's hands.

Governmental inefficiency is widespread, especially in relation to the economy. The first nine months following the implementation of the government's annual economic objectives varied sharply from official budget and 2017 – 2019 medium-term fiscal plan forecasts. The recent devaluation of the Turkish lira has increased the fiscal burden on macroeconomic variables. In the current and the next (2018 – 2020) medium-term fiscal plan, greater fiscal discipline is expected. Unemployment, inflation and the budget deficit will continue to be major economic weaknesses, which will be exacerbated by population growth, refugee issues and security concerns. Results were similarly mixed in other sectors. For instance, the Ministry of Education realized most of its 43 performance objectives, while the Ministry of Health completed most of its 22 objectives for 2016. However, the Ministry of Health failed to realize two key objectives, namely human resource objectives in the health care sector and scientific publications.

No significant progress has been made concerning EU accession since 2015, when economic and financial chapters were opened. Chapters 23 and 24 are currently under blocked by Cyprus. These chapters regulate Turkey's harmonization of fundamental rights and the judiciary with those of the European Union. Despite some signals to continue negotiations from both sides, the European Parliament in November 2016 and Germany since September 2017 have opted to suspense, and Austria has demanded a complete stop to talks.

Citation:

"İşte hükümetin bütçe performansı," 17 October 2017, <http://www.businessht.com.tr/ekonomi/haber/1311270-iste-hukümetin-butce-performansi> (accessed 1 November 2017)

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"Bütçe açığı ve örtülü harcamalar costu," 16 November 2017, Sözcü, <http://www.sozcu.com.tr/2017/ekonomi/butce-acigi-ve-ortulu-harcamalar-costu-2092299/> (accessed 16 November 2017)

Ministry of Development, 2017-2019 Medium Term Programme in Macro-economic and Fiscal Targets, <http://www.mod.gov.tr/Pages/content.aspx?List=16bb86d7%2Dad48%2D4f23%2Db1e3%2D56bbe5b28aaa&ID=13&Source=http%3A%2Fwww%2Emod%2Egov%2Etr%2FPages%2FMediumTermPrograms%2Easpx&ContentTypeId=0x0100F7A44FBA3ED2844D8825963D0C0BE391> (accessed 1 November 2017)

Sağlık Bakanlığı 2014 Faaliyet Raporu, https://dosyasb.saglik.gov.tr/Eklenti/7585_raporpdf.pdf?0 (accessed 1 November 2017)

Milli Eğitim Bakanlığı, 2016 Faaliyet Raporu, https://sgb.meb.gov.tr/meb_iys_dosyalar/2017_02/28172815_2016_FR_webde_yayYmlanacak_kitap.pdf

(accessed 1 November 2017)

Pelin Ünker, *Ekonomide tüm hedefler şaştı*, Cumhuriyet daily newspaper, 10 September 2015. (accessed 27 October 2015)

Ministerial
Compliance
Score: 6

The entrenched single-party government, with strong party leadership and high demand for ministerial positions among party members, provides strong incentives for the promotion of the government program. Therefore, it is difficult even for those ministers who are professionals in their fields to come independently to the forefront. The charisma and standing of the party leader and the tendency of political parties to leave personnel decisions to the party leader prevent ministers from pursuing their own interests during their time in office.

The AKP government under former Prime Minister Recep Tayyip Erdoğan has made it even more difficult for ministers to follow their own agendas, a situation which has continued under Erdoğan's successors since 2014. A number of key ministries during the review period were under the leadership of ministers with substantial professional expertise, but these figures had little support from the party apparatus, leaving them dependent on the prime minister. This ensures that the strong leadership of the prime minister and party leader, rather than other incentives, drives ministers to implement the governmental program. After Erdoğan was elected to the presidency, additional loyalist ministers were appointed to the cabinet. Erdoğan rejected claims that the new prime minister would merely do his bidding; however, he continues to maintain his grip on the government, stressing his intention to be an active president, and interfering in virtually every policy field and ministerial portfolio.

Erdoğan also intervenes in the nomination of deputies, appointment of higher civil servants and the organization of electoral campaigns by taking part actively in these events. In other words, it is argued that the office of the president, now entrusted with increasing powers, has replaced those otherwise established by the constitution. Thus, the current constellation raises the question whether the effectiveness of the executive in general and the government in particular will be diminished by the existence of several centers of power and suggests that the democratic separation of powers as a whole are eroding.

Following the constitutional referendum of April 2017, Erdoğan was immediately re-elected chair of the AKP, legalizing a previously de facto status. This contradicted the principle that Turkey's head of state should be impartial and not a member of a political party. Second, Erdoğan immediately started to exercise constitutional powers that were intended to take effect after 2019 presidential elections. In this transition period, the role of the prime minister and Council of Ministers as the sole authority for governmental actions has been reduced to a symbolic power vis-a-vis Erdoğan's full authority as the president and chair of the ruling party. Ministers can only use their constitutional powers

with the approval of the president. Sometimes the president gives direct orders to ministers for the sake of his own popularity and legitimacy.

Citation:

Erdoğan says new PM will not be puppet, Al Jazeera, 27 August 2014, <http://www.aljazeera.com/news/europe/2014/08/Erdoğan-says-new-pm-will-not-be-puppet-2014827133851415267.html> (accessed 5 November 2014)

“Constitutional amendments in Turkey: Predictions and implications,” 28 February 2017, <http://studies.aljazeera.net/en/positionpapers/2017/02/constitutional-amendments-turkey-predictions-implications-170228092500529.html> (accessed 1 November 2017)

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Daniel Dombey, Turkish president tightens grip on state, The Financial Times, 15 April 2015, <http://www.ft.com/cms/s/0/f89a7b74-c747-11e4-8e1f-00144feab7de.html#axzz3rIjSiYj> (accessed 27 October 2015)

Monitoring
Ministries
Score: 7

The Prime Minister’s Office has, among other measures, established the General Directorate of Laws and Decrees and the General Directorate of Legislation Development and Publication to examine the congruity with the constitution of draft bills, decrees, regulations and resolutions of the Council of Ministers, as well as to review in general laws, plans and the government’s program. These bodies are the primary government centers for the drafting and coordinating of regulations.

However, there is no systematic monitoring of the activities of line ministries. In some cases, the ministerial bureaucracy resists policy handed down by the government without serious consequences, particularly in issues of democratization. In general, however, ministries work in cooperation with the prime minister’s office because the single-party government has staffed leading ministerial posts with bureaucrats who operate in sync with the ruling party’s program and ideology.

The PMO has a total of 2,253 employees, a quarter of whom are experts or advisers, or able to provide similar services. A Sectoral Monitoring and Assessment Unit was established in 2011 to provide the PMO consultation. A total of 17 full-time officers are employed by the PMO. Beginning in May 2015, about 266 career employees from various public institutions were also assigned to this unit.

It remains to be seen how effectively the presidency, with the gradual dissolution of the PMO following the April 2017 referendum, will fulfill the PMO’s monitoring responsibilities.

Citation:

TC Başbakanlık 2016 Yılı Faaliyet Raporu, http://www.basbakanlik.gov.tr/docs/KurumsalHaberler/Basbakanlik_2016_Faaliyet_Raporu.pdf (accessed 1 November 2017)

Monitoring
Agencies,
Bureaucracies
Score: 7

Turkey is a unitary state divided into 81 provinces (Article 126 of the constitution). Power is devolved in such a way as to ensure the efficiency and coordination of public services from the center. Ministerial agencies are monitored regularly. The central administration by law holds the power to guide the activities of local administration, to ensure that local services are delivered in conformance with the guidelines set down by the central government, as well as ensuring services are uniform, meeting local needs and in the interest of the local population (Article 127). The central government has provincial organizations that differ in size and capacity and are regularly scrutinized by the central government. Independent administrative authorities such as the Telecommunications Authority and Energy Market Regulatory Authority are not monitored, but are subject to judicial review.

Law 5018, adopted in 2004, introduced a strategic-management approach under which all public agencies must prepare a strategic plan, annual program and activity reports. The performance of subunits is assessed on the basis of these documents. However, neither strategic management principles nor internal oversight mechanisms have been effectively implemented.

The Internal Audit Coordination Board, affiliated with the Ministry of Finance, was established under Article 66 of the Public Financial Management and Control Law (Law 5018). The board ensures that administrative bodies cooperate with public auditing bodies, and recommends measures to eliminate fraud and other irregularities. According to the 2016 Annual Activity Report, qualified human resources management, capacity-building, coordination, and the separation of inspection and internal-audit functions are major issues in this field.

All public agencies maintain an internal audit body. However, such bodies do not function effectively or operate to their fullest.

The State Supervision Board, which is subject to the Presidency of the Republic, provides supervision and prepares in-depth reports upon the request of the Presidency. These reports were made public until recently; since 2009 only summaries of the reports are available.

Citation:

İç Denetim Koordinasyon Kurulu 2016 Yılı Kamu İç Denetim Genel Raporu, November 2016, <http://www.idkk.gov.tr/SiteDokumanlari/Faaliyet%20Raporlar%c4%b1/2017KamuicDenetimGenelRaporu.pdf>

Task Funding
Score: 6

Municipal governments depend on financial contributions from the central government. Many municipalities do not have the sufficient resources to finance basic duties. Thus, many have declared bankruptcy. Municipal borrowing constitutes a large share of Turkey's total medium- and long-term debt. Financial decentralization and reform of local administration have been major issues during the review period. The central administration (mainly through the Bank of Provinces) is still the major funding source for local governments. During the 2014 – 2015 fiscal year, the government allocated €18 million to a village infrastructure project (KÖYDES), €189.9 million to the Drinking Water and Sewer Infrastructure Program (SUKAP), €74 million to the Social Support Program (SODES).

The previous governments have been frequently accused of taking a partisan approach toward the distribution of funds. Since 2009, transfers from the central government to municipalities via the Bank of Provinces have taken into consideration the number of inhabitants and the locality's relative position on development indices. However, the new model has not eased the difficult financial situation of Turkey's municipalities, which are seriously indebted to central-government institutions. According to Audit Court reports, most metropolitan municipalities have substantial debts. Therefore, most local projects in major metropolitan municipalities are run by the central government.

The recent change in regulations governing metropolitan municipalities was designed to generate funds for them. However, this shift is expected in turn to cause smaller administrative units to be fiscally and administratively dependent on the metropolitan municipalities. In other words, the authority held by subunits such as villages and small towns are expected to be undermined in the long run.

Citation:

TC Kalkınma Bakanlığı KÖYDES Projesi 2015 Ödeneği, 20 January 2015, http://www.migm.gov.tr/Dokumanlar/2015_1_KOYDES_YPK_KARARI.pdf. (accessed 27 October 2015)

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TC Sayıştay Başkanlığı Kalkınma Bakanlığı 2014 Yılı Sayıştay Denetim Raporu, http://www.sayistay.gov.tr/rapor/kid/2014/Genel_B%C3%BCt%C3%A7e_Kapsam%C4%B1ndaki_%20Kamu_%C4%B0dareleri/KALKINMA%20BAKANLI%C4%9EI.pdf (accessed 27 October 2015)

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"Sayıştay'a göre; İstanbul ve Ankara Büyükşehir Belediyeleri borç 'batağında,'" 19 October 2017, <http://t24.com.tr/haber/sayistaya-gore-istanbul-ve-ankara-buyuksehir-belediyeleri-borc-bataginda,468360> (accessed 1 November 2017)

Constitutional
Discretion
Score: 2

According to Article 127, Paragraph 1 of the constitution, local administrative bodies are public entities established to meet the common needs of the local

inhabitants of provinces, municipal districts and villages, whose decision-making bodies are determined by the electorate as described in law, and whose structure is also determined by law. However, according to Article 127, Paragraph 5 of the constitution, the central administration has the power of administrative trusteeship over local governments, under a framework of legal principles and procedures designed to ensure the functioning of local services in conformity with the principle of administrative unity and integrity, to secure uniform public services, to safeguard the public interest and to meet local needs in an appropriate manner.

Past reforms driven by the process of alignment with the European charter of local self-government have changed Turkey's administrative structure and the relationship between the center and subnational bodies. In December 2012, the boundaries of metropolitan municipalities were revised to make public service provision more effective and productive. The law has been criticized, as it appears to set aside the principle of subsidiarity despite its "official" goal of strengthening democracy at the local level. First, the legal status of provincial administrations, villages and municipalities cannot be changed through a special law without consultation or referendum; such changes require a constitutional amendment. Second, the 2012 law essentially violates the principle of self-government. And finally, it is questionable whether the effective delivery of social services is indeed relevant to strengthening local democracy. In addition, the Mass Housing Administration (Toplu Konut İdaresi, TOKİ), a central administrative body and a patronage tool for the AKP, is empowered to implement urban renewal projects almost anywhere.

In mid-2014, some mayors in southeast Anatolian provinces called for the transfer of half of the state's share yielded from oil drilling to the municipality of the province in which oil is produced.

Soon after the 7 June 2015 parliamentary elections, two towns and 16 municipalities (14 towns and two neighborhoods in İstanbul) declared self-government. The government took a strong stand against these declarations, and judicial investigations were initiated against mayors and other people in charge. Moreover, in the wake of the 15 July coup attempt and the government's declared state of emergency, numerous democratically elected mayors and municipality staff of larger and smaller local administrations in various provinces have been detained and replaced with trustees by the central government.

Citation:

Ayşe Güner and Serdar Yılmaz, *Son Değişikliklerin Türkiye'de Yerel Yönetimlerin Takdir Hakkı ve Hesap Verilebilirlik Üzerindeki Etkisi*, Marmara İktisat Dergisi, 1,2 Eylül 2017, 229-250.

Mehmet Zahid Sobacı, *Türkiye'nin Avrupa Yerel Yönetimler Özerklik Şartı'na Uyumu: Özerklik Miti*, 2015, <http://setav.org/tr/turkiyenin-avrupa-yerel-yonetimler-ozerklik-sartina-uyumu-ozerklik-miti/analiz/18570>

Öz yönetim ilan edilen merkez sayısı 16'ya yükseldi, 20 August 2015, <http://t24.com.tr/haber/oz-yonetim-ilan-edilen-merkez-sayisi-16ya-yukseldi,306949>

HDP submits bill for oil revenue sharing with local governments, 3 July 2014, <http://www.hurriyetdailynews.com/hdp-submits-bill-for-oil-revenue-sharing-with-local-governments.aspx?pageID=517&nID=68621&NewsCatID=348>

National
Standards
Score: 5

The Regulation Concerning Public Service Standards was issued by the Council of Ministers in July 2009. According to the regulation, all public entities including municipalities must prepare service standards tables for the council's use.

The Ministry of Interior Affairs closely monitors the structure and quality of services provided by municipal governments, through its own local agencies and administrative trusteeship (through internal and external audits, and audits by civil service inspectors). The Union of Municipalities of Turkey also offers nationally or EU-funded training and technical support for municipalities in this respect.

While United Nations Development Program (UNDP) support for the implementation of local-administration reform in Turkey (LAR Phase 2) has been concluded, Turkey still aims to fulfill some requirements of the European Local Self-Government Charter. In this context, municipalities work to establish departments tasked with monitoring, investment and coordination. The main duties of these departments are to provide, monitor and coordinate public institutions and organizations' investments and services; to provide and coordinate central-administration investments in the provinces; and to guide and inspect provincial public institutions and organizations. However, the most significant outstanding issues with regard to standardizing local public services are essentially financial, technical and personnel-driven. Within the OECD, Turkey remains the country with the largest regional disparities.

Citation:

Kamu Hizmetlerinin Sunumunda Uyulacak Usul ve Esaslara İlişkin Yönetmelik, Official Gazette, 31 July 2009,

<http://www.resmigazete.gov.tr/main.aspx?home=http://www.resmigazete.gov.tr/eskiler/2009/07/20090731.htm&main=http://www.resmigazete.gov.tr/eskiler/2009/07/20090731.htm> (accessed 1 November 2017)

Ankara Büyükşehir Belediyesi Hizmet Standartları Tablosu, https://www.ankara.bel.tr/files/2913/4727/6681/tablolalar_imar_8_1.pdf (accessed 1 November 2017)

Adaptability

Domestic
Adaptability
Score: 3

In contrast to former tendencies of adopting international standards and practices, centralizing power and control have become the major drivers for restructuring governance during the review period. By a state of emergency decree, the general chief of staff and head of the National Intelligent Service

(MIT) were affiliated with the presidency, all armed forces were reorganized under the Ministry of National Defense and the Gendarmerie, and the Turkish Police was aligned under the Ministry of Interior – in line with EU standards to place military and defense forces under civilian control. A reorganization of financial institutions including the Capital Market Board is underway. Despite heavy pressure, the central bank remains largely independent. The justice system has again been reorganized following the recent constitutional amendments. The chairman of the Council of Judges and Prosecutors (HSK), namely the Minister of Justice, appoints four members of the council and seven members are in-effect elected by the AKP, given the party's parliamentary majority.

Turkey is a signatory of several international conventions that include binding provisions, and the Turkish government has attempted to comply with these international responsibilities. However, the government has fallen short on many requirements, either legally or institutionally. On issues such as child labor, gender issues, general working conditions

Even taking into consideration Turkey's "trauma" after the failed coup and the necessary declaration of a state of emergency, the wide-ranging and radical use of state of emergency powers has diminished Turkey's ability to meet established standards of policymaking and the rule of law.

Citation:

Venice Commission, Turkey Opinion on the Provisions of the Emergency Decree Law N° 674 of 1 September 2016 Which Concern The Exercise of Local Democracy in Turkey, 6-7 October 2017, "http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2017)021-e (accessed 1 November 2017)

Parliamentary Assembly of Council of Europe, "The functioning of democratic institutions in Turkey" 8 MArch 2017, <http://website-pace.net/documents/19887/3258251/20170308-TurkeyInstitutions-EN.pdf/bbd65de5-86d4-466f-9bc1-185d5218bce7> (accessed 1 November 2017)

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International
Coordination
Score: 5

As a result of the ongoing civil war in Syria, Turkey has hosted and assisted more than 3.5 million Syrian refugees, with only a limited proportion of refugees living in state-run refugee camps. The EU-Turkey Statement has become an important element of the European Union's comprehensive approach on migration. While Turkey accuses the European Union of falling behind on its promises, the European Union claims that €3 billion were allocated through the EU Facility for Refugees in Turkey in 2016 and 2017.

The U.S.-led coalition campaign to destroy the Islamic State group enters its fourth year, with authorities declaring concrete improvements. However, Turkey, a key player in the coalition, has also intensified its own separate efforts in Syria. The Turkish military established its own mission in Northern Syria in 2016 and 2017. This mission has since developed into a full military confrontation with the U.S.-backed People's Protection Units (YPG). Turkey claimed the mission is part of Turkey's efforts to fight all terrorist organizations, including ISIL. In December 2016, a total of 3,359 people were taken into custody for associating with ISIL militants and 1,313 were arrested. Since November 2017, police officers have conducted almost daily raids on ISIL cells across Turkey, with increasing intensity in the past few weeks.

In addition to the consultative, coordinative and cooperative structures within NATO and the European Union, Turkey also participated in the Vienna and Geneva talks as well as – after overcoming disputes with Russia – bilateral talks with Russia, Iran and other regional players in search of a diplomatic solution to the Syrian conflict.

Citation:

“Number of Syrian refugees in Turkey reaches 3.2 million,” 4 October 2017, <https://www.dailysabah.com/syrian-crisis/2017/10/04/number-of-syrian-refugees-in-turkey-reaches-32-million> (accessed 1 November 2017)

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Organizational Reform

Self-monitoring
Score: 7

Several units in the hierarchic Turkish administration contribute to the monitoring process directly or indirectly. These include the State Supervisory Council, the Prime Ministry Inspection Board, the Directorate General of Legislation Development and Publication, the Directorate General of Laws and Decrees, and the Council of State. Each administrative institution has its own

internal control unit for monitoring how financial rules are implemented. However, these units are not fully effective. The Prime Minister's Office (PMO) and individual ministries also occasionally communicate with the parliament's general secretariat and other institutions and organizations with the aim of reforming existing legislation.

Turkey has undergone an organizational change involving the creation of new institutions, the merging or splitting of ministerial bodies, legal changes and rapid personnel shifts. These developments make monitoring exceedingly difficult. The OECD Sigma assessments provide some insight on actual operations. As stated in the annual report of the PMO and of the Ministry of Development, coordination and monitoring are major weaknesses in Turkish public administration.

During the review period, the use of state of emergency powers and the debate on Turkey's transition to a presidential political system has intensified. In January 2017, the State of Emergency Procedures Investigation Commission was established to evaluate and resolve complaints related to the use of state of emergency decree laws with the intention of unblocking administrative objections. The government submitted a large harmonization reform package to parliament in September 2017. The package contains changes to 132 articles in 16 laws. For the time being, it is unclear how and to what extent self-monitoring would be considered relevant in the new constitutional framework that President Erdogan and the AKP have in mind.

Citation:

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Institutional
Reform
Score: 6

According to Law 5018 on Public Financial Management and Control, all public institutions, including municipalities and special provincial administrations, must prepare strategic plans. All public bodies have designated a separate department for developing strategy and coordination efforts; however, these departments are not yet completely functional. Maximizing strategic capacity

requires resources, expert knowledge, an adequate budget and a participatory approach. The government lacks sufficient personnel to meet the requirements of strategic planning, performance-based programs and activity reports. In this respect, several training and internship programs have been established.

During the assessment period, Turkey developed sectoral strategies and action plans for 2015 – 2018 on biotechnology, entrepreneurship, small and medium scale enterprises, productivity and information society. Several strategy documents were also prepared such as a National Employment Strategy. Also, a National Strategy of Regional Development was prepared for the period 2014 – 2023. The central government’s institutions and agencies, local administrations, universities, and the state economic enterprises (KİTs) also prepared strategic plans.

Advocates of a presidential system, argue that it will bring greater efficiency and effectiveness. However, the state of emergency decrees and practices, and the urgent need to harmonize current legislation with recent constitutional amendments undermines strategic thinking and improvements in public administration.

Citation:

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II. Executive Accountability

Citizens’ Participatory Competence

Except for the Ministry of Finance and the central bank, the government generally does not adequately inform citizens about the content and development of government policy. The head of government, ministers and high government officials highlight success stories and policies, but do not offer

Policy
Knowledge
Score: 5

follow-up details. While there are no surveys that review how citizens get information on government policy, it is evident that policymaking in Turkey is not transparent or participatory. The government follows a selective and perception management approach to informing citizens about governmental processes. Although citizens in Turkey do reflect critically on politics in general, they often learn of policies only after their implementation has begun. The public's level of knowledge about government affairs is low, as is the public's level of satisfaction with the government. However, this has not until recently manifested in public unrest. Even the participatory mechanisms set up to assist government policymaking do not work effectively. Civil society organizations are unable to inform members or the public about ongoing developments. Policy plans are kept largely secret or subject to last-minute changes, and the parliament's tendency to pass important measures as a part of an omnibus of legislative packages has been increasingly criticized, because it confuses the public.

Social media has become a widespread tool, even for the government in its public relations. Ministries and municipalities use social media frequently, though the information shared by executive officers is limited and propagandistic. Academic studies concluded that people consider social media a mechanism able to influence views and developments in two directions: government can inform its citizens and the people can influence government policies. In other words, social media can facilitate input-output and implementation and feedback in governmental processes. However, the accessibility and reliability of social media is a major obstacle. Only 52% of the population is active on social media. Moreover, the recent restrictions and bans on social media on the one hand and its limited presence on the other make it ineffective. Furthermore, as is the case demonstrated in other countries, social media may inform people, but it also tends to re-affirm biased views and opinions among the public. As a result, social media may underline or even exacerbate polarization tendencies in Turkey.

Citation:

"Orta Vadeli Program açıklandı," 27.09.2017, <http://aa.com.tr/tr/ekonomi/orta-vadeli-program-aciklandi/920725> (accessed 1 November 2017)

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Legislative Actors' Resources

Parliamentary
Resources
Score: 6

The administrative organization of the Grand National Assembly of Turkey (TBMM) consists of departments that support the Speaker's Office. The conditions of appointment of the administrators and officers are regulated by law (Law 6253, 1 December 2011). The administrative organization (including the research services department and the library and archives services department) is responsible for providing information as well as bureaucratic and technical support to the plenary, the bureau, committees, party groups and deputies; informing committees about bills and other legislative documents and assisting in the preparation of committee reports; preparing draft bills in accordance with deputy requests; providing information and documents to committees and deputies; coordinating relations and legislative information between the Assembly and the general secretary of the president, the Prime Minister's Office and other public institutions; organizing relations with the media and public; and providing documentation, archive, and publishing services (Article 3, Law 6253). Although the budget of the Assembly is part of the annual state budget, it is debated and voted on as a separate spending unit. The Assembly prepares its own budget without negotiation or consultation with the government; yet, it does follow the guidelines of the Ministry of Finance.

During the review period, the 550 deputies were provided with 482 primary and 465 secondary advisers and 493 clerks. A total of 29 experts and 93 clerks are assigned to the various party groups. The Turkish parliament attempted to improve its human resources, especially for budget and final accounts processes, and provide greater support for parliamentary members' work. Within this scope, the so-called Country Expertise Project covers 44 countries and employ four experts and 47 officers. However, capacity-building remains a major problem. The parliamentary library and research unit cannot effectively meet demands for information. Following the 15 July failed coup, several staff members were dismissed from the Assembly. In November 2017, the parliament advertised 192 job vacancies, mainly in logistical services.

Citation:

TBMM 26. Dönem 1. Yasama Yılı Faaliyet Raporu, https://www.tbmm.gov.tr/docs/26_1_yd_faaliyet_raporu_20102016.pdf (accessed 1 November 2017)
 "TBMM personel alımı başvuru sonuçları açıklandı!" 15 November 2017, <http://www.hurriyet.com.tr/tbmm-personel-alimi-basvuru-sonuclari-aciklandi-40646332> (accessed 1 November 2017)
 "İşte karşılaştırmalı TBMM İç Tüzük teklifi," 10 Temmuz 2017, <http://t24.com.tr/haber/iste-karsilastirmali-tbmm-ic-tuzuk-teklifi,413621> (accessed 1 November 2017)
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 Turkish Parliament: Grand National Assembly of Turkey, Research Center, Ankara, 2012.

Obtaining
Documents
Score: 5

According to Article 98 of the constitution, the Grand National Assembly of Turkey exercises its supervisory power over the government by posing written and oral questions, conducting inquiries, sponsoring general debates, offering motions of censure or starting parliamentary investigations (Articles 96-113 of the Rules of Procedure). Parliamentary committees or commissions may ask the ministries to provide any information relevant to their sphere of duty (Article 41 of the Rules of Procedure). However, in practice some parliamentary inquiry committees that deal with security, military or corruption issues have not been able to collect information from the relevant authorities. In fact, several motions of inquiry on sensitive issues for the government were rejected by parliamentary votes dominated by the ruling party. During the review period, an inquiry into the so-called Paradise Papers affair submitted by the HDP was rejected. Some invited public officials, mainly military officers, have not attended parliamentary inquiry committee meetings. General Hulusi Akar, the chief of the Turkish General Staff, and Hakan Fidan, head of the Turkish Intelligence Service (MİT), testified before a parliamentary inquiry committee into the 15 July coup, but only by providing a written submission on 29 May 2017.

Citation:

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Summoning
Ministers
Score: 5

According to Article 30 of the parliamentary rules of procedure, the prime minister or ministers can attend committee meetings as a representative of the government without invitation, and may talk on the subject matter at hand. However, the prime minister or ministers may also delegate a senior civil servant to be his or her representative at a committee meeting. If relevant, the committee may ask a minister to explain a government position, but he or she is not required to comply with this invitation if there is no legal obligation. While parliamentary committees are not able to summon ministers for hearings, the responsible minister may voluntarily decide to participate in a meeting. Normally, the committees are briefed by high-ranking ministerial bureaucrats.

However, the ministers will always be present at the Planning and Budget Committee when the previous year's final accounts and following year's draft budget are discussed.

The annual activity reports of the TBMM do not provide any information on how many ministers were summoned and how many times by which parliamentary commission.

During the review period, the effects of the state of emergency, corruption scandals, resignation of metropolitan mayors, economic instability and regional affairs (e.g., Turkey's involvement in the war in Syria, the massive movement of refugees from neighboring countries into Turkey, and Kurdish developments in and outside of Turkey) are highly visible. None of the government's senior executives took responsibility for or allowed an independent parliamentary investigation into these issues. Instead, the government demonstrated a lack of accountability vis-à-vis parliament.

Citation:

Rules of Procedure of the Grand National Assembly of Turkey, http://global.tbmm.gov.tr/docs/rules_of_procedure_en.pdf (accessed 5 November 2014)

TBMM 26. Dönem 1. Yasama Yılı Faaliyet Raporu, https://www.tbmm.gov.tr/docs/26_1_yd_faaliyet_raporu_20102016.pdf (accessed 1 November 2017))

Summoning
Experts
Score: 7

According to Article 30 of the parliamentary rules of procedure, committees are legally able to summon experts from non-governmental organizations, universities or the bureaucracy to provide testimony without limitation. During the review period, parliament made de facto use of this right, for example in committees to investigate past military coups, the mass killings in Tunceli (Dersim) in 1937 and 1938, and the Uludere incident of December 2011. The parliamentary majority of the ruling party and the polarized atmosphere in Turkish public policy, however, silence critical voices and diminishes the impact of independent experts in the policymaking process. Some academics and independent experts were invited to the parliamentary inquiry committee on the FETO Terror Organization Coup attempt.

Citation:

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Task Area
Congruence
Score: 6

There are 18 standing committees in the Grand National Assembly of Turkey (TBMM), which are generally established in parallel with structure of the ministries. The most recent such committee, the Security and Intelligence Commission, was established in spring 2014. Except for committees established

by special laws, the jurisdiction of each committee is not expressly defined by the rules of procedure. Some committees have overlapping tasks. Committees do not independently monitor ministry activity but do examine draft bills. During discussions, committees may also supervise the ministry activity indirectly. The State Economic Enterprises Commission does not audit ministries but plays an important role in monitoring developments within their administration. The distribution of the workload of these committees is uneven. The Planning and Budget Commission is the most overloaded group, as every bill possesses some financial aspect. Professionalization among committee members is low. Neither the Strategic Plan nor the Activity Reports of the TBMM emphasize the need to implement effective ministerial monitoring. These committees recently stated their intent to recruit more qualified personnel in certain areas.

Citation:

Nakamura, Robert and Omer Genckaya. 2010. "Assessment for the Turkish Grand National Assembly in Support of the Implementation of the Public Financial Management Act." Report to the World Bank.

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TBMM 26. Dönem 1. Yasama Yılı Faaliyet Raporu, https://www.tbmm.gov.tr/docs/26_1_yd_faaliyet_raporu_20102016.pdf (accessed 1 November 2017)

Audit Office
Score: 4

According to Article 160 of the constitution, the Court of Accounts is charged on behalf of the Grand National Assembly with auditing all accounts related to revenues, expenditures and properties of government departments that are financed by the general or subsidiary budgets. The Court's auditing capacity was limited by the Law 6085 in 2010, but the Constitutional Court annulled Article 79 regulating the audit of the Audit Court's accounts in 2013. In December 2012, the Court also annulled the provision limiting performance auditing. In December 2013, a new article was added to the Regulation Concerning the Submission of the Public Institutions' Accounts to the Audit Court, which meant that these accounts are to be excluded from the audit of the Court until the end of 2016. Although the Court completed the reviews of 480 public institutions and 77 public enterprises' accounts and found several corrupt transactions in 2014, parliament does not have sufficient capacity to monitor them effectively. In addition, about 15% of defense expenditures, including several governmental funds related to defense, are not supervised by parliament.

Audit reports for 2016 on central and local administrations unveiled several irregularities and illegal financial transactions. The Audit Court found that the General Directorate of Highways (KGM) did not account for where TYR 6 billion for raising the quality of the roads went.

The parliamentary Final Accounts Committee reviews the TBMM's accounts annually. The Court of Accounts reports to parliament but is not accountable to

it. The parliament, from a list compiled by its Plan and Budget Commission, elects the Court's president and members. The Council of Ministers, however, appoints court rapporteurs and prosecutors.

Citation:

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Ombuds Office
Score: 4

A law establishing a Turkish ombudsman office, called the Public Monitoring Institution (KDK), was adopted in June 2012 and went into force in December 2012. The office is located within the Parliamentary Speaker's Office, and is accountable to parliament. The ombudsman reviews lawsuits and administrative appeals (from the perspective of human rights and the rule of law) and ensures that the public administration is held accountable. In 2014, a total of 5,639 petitions arrived at the Ombudsman and by the end of 2014 it had addressed 6,348 complaints (including the pending cases from 2013). According to the KDK itself, two main obstacles hamper the efficacy of its work. First, the degree of compliance with its decisions has been low, with only 20% of its released decisions having been obeyed by public administrative bodies. Second, under the current law, the KDK cannot conduct inquiries on its own initiative. Moreover, the mandate of the office does not cover administrative actions performed by military personnel.

The Parliamentary Petition Committee reviews citizens' petitions (a total of 6,055 in 2015) and refers them to the relevant authority, when appropriate. The Human Rights Investigation Commission has the authority to receive, investigate and review complaints on human-rights issues. The Commission on Equal Opportunities for Women and Men is entitled to review complaints regarding violations of gender equality.

Citation:

The Ombudsman Institution (2014) 'The Chief Ombudsman Annual Press Conference,' http://www.ombudsman.gov.tr/en/content_detail-322-779-the-chief-ombudsman-annual-conference.html (accessed 10 December 2014)

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TBMM Dilekçe Komisyonu 24. Dönem Faaliyet Raporu, https://www.tbmm.gov.tr/komisyon/dilekce/docs/faaliyet_raporlari/24_yd_faaliyet_rapor.pdf (accessed 27 October 2015)

Media

Media Reporting
Score: 3

Despite the pluralistic media scene in Turkey, the Turkish media (TV channels, newspapers, etc.) seems increasingly split between proponents and opponents of the AKP government. Media freedoms deteriorated significantly after the failed coup attempt of 15 July 2016. Numerous journalists were imprisoned without indictment, which had an intimidating effect on other journalists. In consequence, it is difficult for citizens to find objective or substantive in-depth information on government policies and government decision-making. A media-ownership structure based on industrial conglomerates (the so-called Mediterranean or polarized pluralist media model), the government's clear-cut differentiation between pro- and anti-government media, and the increasingly polarized public discourse make it difficult for journalists to provide substantial information to the public. News coverage and debates are mainly one-sided in the pro-government media, while self-censorship is common in the mainstream, neutral media. This is true even of the main news agencies, such as Anadolu, ANKA, Doğan and Cihan. Superficial reporting, self-censorship and dismissal of critical journalists from their job are widespread within the major media outlets. Media ownership, and direct and indirect government intervention in private media outlets and journalism obscure the objective analyses of government policies. Thus, few newspapers, radio or TV stations offer in-depth analysis of government policies or their effects concerning human rights, the Kurdish issues, economic conditions and so on.

In 2017, internet freedom declined in Turkey and several internet sites were blocked, including sites managed by journalists in exile. Social media services and websites (e.g., Wikipedia) were also blocked. The Minister of Transportation and Communication stated that Turkey is often mentioned together with terrorist organizations on social media platforms. For example, Wikipedia articles include content that suggests Turkey supports terrorist organizations. Turkey is among 30 governments that employs “opinion shapers” to promote government views and agendas, and counter government critics on social media.

Citation:

Freedom on the Net 2017, <https://freedomhouse.org/report/freedom-net/freedom-net-2017> (accessed 1 November 2017)

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Parties and Interest Associations

Intra-party
Democracy
Score: 2

The centralized structure of the Political Parties Law (Law 2820) and the bylaws of the major parties does not encourage intra-party democracy. Consequently, strong party discipline is a common feature of all political parties. Although the Justice and Development Party (AKP), the Republican People’s Party (CHP) and the Peoples’ Democratic Party (HDP) do not discriminate on the basis of ethnicity or religious orientation with regard to membership, contestation within the parties is limited, at best. Dissenting voices are generally unable to find an institutional path by which to engage in effective debate. Competition usually revolves around party members’ ability to create local power centers through which they compete for the attention and goodwill of the party leader.

Membership, party congresses and executive boards are not democratically managed in most political parties. Three deputies were dismissed from the MHP in March 2017. Several deputies of the AKP allegedly closer to illegal Gülenist networks either resigned or faced being dismissed, especially in the aftermath of coup attempt in 2016. On the request of the president and AKP chair, Recep Tayyip Erdoğan, the mayors of six provinces, including Ankara and Bursa, resigned in fall 2017. Erdoğan stated that “people do not take these offices as independent candidates but as candidates shown by parties.”

The AKP determines its candidates through a somewhat complex process involving a so-called tendency survey, interviews by special commissions and the supreme board’s final say. However, candidates are ultimately chosen by the party’s leadership, which consults “significant” public opinion leaders. The CHP chose 301 out of 550 candidates through primary elections before the 7 June 2015 elections. However, most of the delegates were determined by the trusteeship of the party’s central executive committee during the provincial and township congresses.

Citation:

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Association
Competence
(Business)
Score: 5

The Union of Chambers and Commodity Exchanges (TOBB) is the most influential business association in Turkey, representing more than 1.2 million enterprises and members of various industry and business chambers. The Economic Policy Research Foundation of Turkey (TEPAV), affiliated with TOBB University in Ankara, provides extensive surveys in various fields. The pro-Western, Istanbul-centric Turkish Industrialists' and Entrepreneurs' Association (TÜSİAD) and the conservative, Anatolian-centric Independent Industrialists' and Entrepreneurs' Association (MÜSİAD), also have R&D units and sponsor reports on political reforms, education, health care, security and migration. The degree of direct impact of such proposals and amendments on legislation is unknown, but the government regularly claims to take such reports under consideration.

The Turkish Confederation of Businessmen and Industrialists (TUSKON), an umbrella organization founded in 2005 and representing seven business federations, 211 business associations and over 55,000 entrepreneurs from across Turkey, is believed to be close to U.S.-based preacher Fethullah Gülen and his global network of enterprises and schools. In November 2015, the Ankara police department launched a raid against the TUSKON headquarters as part of an investigation into the illegal, allegedly terrorist network, called "Parallel State Structure Terror Organization/Pro-Fethullah Terror Organization." Moves against the confederation and its members intensified after the July 2016 failed coup.

Among labor unions, the ideological split between secular unions such as the Confederation of Public Workers' Unions (KESK) and the Confederation of Revolutionary Trade Unions of Turkey (DİSK) and the more conservative-Islamic Confederation of Turkish Real Trade Unions (Hak-İş) tends to prevent common action. Moreover, it has become increasingly obvious over the last decade that religiosity has become a strategic resource in creating solidarity among union members, and in bolstering loyalty to the government. Turkey's oldest trade union, Türk-İş, has for many years prepared monthly surveys on hunger and poverty thresholds and is included in the collective bargaining process.

TÜSİAD repeatedly calls for an end to the state of emergency to improve freedom and plurality in Turkey. However, the government argues that the state of emergency is not a hurdle for business.

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Association
Competence
(Others)
Score: 3

The number of non-economic civil society organizations has increased in the last decade, indicating a growing degree of public engagement within many segments of Turkish society. In November 2017, 104,174 associations with more than 10 million members were active. Most are professional, sport or religious organizations. A total of 5,054 foundations are active nationwide. Most foundations are social solidarity organizations, 22 are foreign foundations and 167 are religious organizations. Among others, TESEV, TESAV, TEPAV, SETA, ASAM can be regarded as semi-professional think-tanks which conduct research and publish reports on various policy issues. SETA is a very influential pro-government policy research organization.

Most civil society organizations are not professionally organized, and lack financial and human resources. The number of pro-government and pseudo-CSOs (i.e., GONGOs) benefiting from public and EU funding has increased recently. Several CSOs lack the staff, resources and visibility to carry out face-to-face fundraising. Turkey ranked 128 out of 135 countries in the World Giving Index 2014 (WGI), but has not been included in subsequent indexes. The government has excluded opponents from government decision-making processes. Instead, the government has created its own loyal civil society groups, such as TÜRGEV – a foundation led by President Erdoğan’s son, which has gained political influence in the executive and expanded its financial resources.

Local and global environmental pressure groups such as Greenpeace have increasingly demonstrated against dam and hydroelectric-energy projects throughout Turkey, but their protests are regularly suppressed by the security forces and subjected to criminal investigations. The Turkish Foundation for Combating Soil Erosion for Reforestation and the Protection of Natural Habitat (TEMA) is the most established environmental organization in Turkey with 500,000 volunteers.

The Association for Support of Women Candidates (KA.DER) has for years promoted the equal representation of women and men in all walks of life. KA.DER sees equal representation as a condition for democracy and calls for equal representation in all elected and appointed decision-making positions. It conducts several EU- and UNDP-sponsored projects and advocate its objectives.

The initiative Oy ve Ötesi Girişimi (Vote and Beyond) in collaboration with the Unions of Bars of Turkey, several bars and the Checks and Balances Network monitored the local and presidential elections in 2014 and two parliamentary elections in 2015 with tens of thousands of volunteers spanning the spectrum of political affiliations and ideological backgrounds. Upon receiving training, these volunteers acted as independent election observers and reported the accuracy of the official election results.

In the wake of the failed coup in July 2016 and the government's declaration of the state of emergency, hundreds of foundations and CSOs that were allegedly part of the Gülenist movement were shut down, their assets confiscated and their members detained. Arguably, some religious orders and communities have replaced the Gülenist movement, and extended their own networks under the name of various solidarity associations. The state of emergency has extremely diminished the influence of civil society on governmental actions.

Citation:

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